



**CITY OF HUNTINGTON BEACH**  
**Interoffice Communication**  
**Economic Development Department**

TO: Honorable Mayor and City Council Members  
VIA: *Penelope Cullbreth-Graft*  
Penelope Cullbreth-Graft, DPA, City Administrator  
FROM: Stanley Smalewitz, Director of Economic Development *SSA*  
DATE: April 2, 2007  
SUBJECT: **Mobile Home Park Local Enforcement Authority**

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**BACKGROUND**

There are a total of 2,865 manufactured homes in Huntington Beach within 18 mobile home parks. Pursuant to recent City Council direction, staff has researched the legal, administrative, and financial aspects of the City assuming oversight authority from the State for local mobile home parks.

**Mobile Home Park Regulation in California**

Mobile home parks in Huntington Beach and throughout California fall under the jurisdiction of the State. Section 18300(a) of the California Health and Safety Code, dealing with mobile home park regulation, provides, "this part applies to all parts of the state and supersedes any ordinance enacted by any city, county, or city and county, whether general law or chartered..."

The Legislature has established uniform, statewide standards to assure mobile home park residents protection from risks to their health and safety. The State Law governing mobile home parks is entitled the "Mobile Home Parks Act" (MPA), and is found in the California Health and Safety Code. The MPA governs the construction and installation of mobile homes located within *privately* owned mobile home parks, as well as the standards and requirements for construction, maintenance, occupancy, use, and design of the parks themselves. The Mobile Home Parks Act does not apply to mobile home parks owned or operated by the federal, state, or local governments.

The MPA designates the California Department of Housing and Community Development (HCD) as the responsible state agency to enforce the laws

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*STUDY SESSION*

contained in the Act. State agencies implement laws by issuing regulations that clarify, interpret, and otherwise carry out the intent of the law. These regulations are contained in the California Code of Regulations. State HCD is empowered to promulgate regulations related to mobile home parks; these regulations are found in Title 25 of the California Code of Regulations (Title 25).

The MPA and its related Title 25 regulations include specific requirements for park construction, maintenance, use, occupancy, and design. The laws and regulations also dictate lot identification, lighting and roadway width, plan and permit requirements, as well as requirements for the installation of mobile homes, accessory structures and buildings, earthquake resistant bracing systems, application procedures, fees, enforcement and appeal procedures. The MPA and Title 25 address health and safety concerns; they *do not* address aesthetic issues. The provisions of the MPA explicitly preempt mobile home park regulation at the local level and supersede any ordinance enacted by a city or county that pertains to matters covered by the MPA or Title 25.

Cities do possess some very limited regulatory authority over mobile homes in their jurisdictional boundaries. This limited authority allows a city to establish certain zones for mobile home parks, adopt rules relating to perimeter walls of the park, and regulate mobile homes that are located *outside* of a mobile home park. Attachment 1 provides a listing of mobile home regulatory authority vested to a local agency.

### **Local Enforcement Authority**

Under state law, HCD acts as the “enforcement authority” for all mobile home parks in Huntington Beach, except for City-owned Ocean View Estates. In all other Huntington Beach parks, HCD is responsible for enforcement of all laws and regulations governing the parks as enumerated in the MPA and Title 25. Similar to public schools in the city, with the exception of public safety first responders, city officials generally do not enter mobile home parks. This includes the City’s Building Inspectors and Code Enforcement Officers. There are provisions, however, that allow HCD to delegate its authority to a city for a period of up to 60 days after a declared disaster.

Although HCD serves as the default enforcement agency statewide, state law does allow a local government to assume limited responsibility for enforcement of the MPA and Title 25 regulations within its jurisdiction. In other words, a city or county does have the ability to voluntarily assume responsibility for many state laws and regulations that govern mobile home parks, although the State still maintains jurisdiction in some matters. When this occurs, the city or county, not HCD, becomes the “Local Enforcement Authority” (LEA) for all privately-owned mobile home parks in its boundaries.

In order to become a LEA, a city must first adopt an ordinance that expresses the city's intention to assume responsibility for enforcement of the MPA and Title 25 regulations. The ordinance must also provide a listing of qualified personnel necessary to enforce the MPA, adopt the State schedule of fees, and adopt the State program and objectives. After verifying the city has the knowledge and ability to apply the requirements of the MPA and Title 25, HCD will relinquish *limited* enforcement responsibility to the city. At that point, HCD assumes an oversight role to ensure the local government is properly enforcing the applicable state laws. HCD retains responsibility for the mobile homes themselves, which will be discussed in detail in the following section.

## **ANALYSIS**

This section will discuss several issues related to local enforcement authority. However, before proceeding further it is important to clarify that a LEA assumes responsibility for enforcement of the MPA and Title 25 regulations only. The city's Municipal Code and adopted ordinances are *not* applicable within a mobile home park, even if the city has assumed enforcement responsibility from HCD. Although the MPA and Title 25 regulations cover a range of issues, they are not as narrowly-tailored or customized as most local ordinances that often go beyond health and safety regulation and address aesthetics and property maintenance. Nonetheless, the MPA and Title 25 are the preemptive regulations applicable within parks, *regardless of whether the city or HCD is acting as the enforcement agency.*

For this reason, it is difficult to equate service provision in a mobile home park with that applicable to other forms of housing in a community. While other housing, such as single-family homes, apartments, and condominiums, is subject to a city's Municipal Code, state law has specifically exempted mobile home parks from local codes in order to ensure a uniform, statewide standard. As a mobile home park resident, there are both benefits and drawbacks to this unique regulatory framework. As a LEA, enforcing state regulations can present many challenges, as detailed in the following section.

### **Limitations of Local Enforcement Authority**

A city that assumes local enforcement authority is responsible for the permanent buildings and structures within *all* privately-owned mobile home parks within city limits. For example, a LEA is responsible for all "common area" structures within the park, such as a park office, laundry room, and clubhouse. Surprisingly, when a city is the LEA, it *is not* the enforcement agency for the actual manufactured homes within the park; HCD retains that responsibility. This complicated yet important distinction is discussed below.

Manufactured homes are built and inspected based upon standards established by the U.S. Department of Housing and Urban Development (HUD). HCD is designated as the only enforcement agency for manufactured homes throughout the state, regardless of whether the city has assumed enforcement authority. There is no statutory authority for HCD to delegate – or for a city to assume – enforcement authority for the manufactured homes themselves.

Therefore, even in cities that have assumed enforcement authority, many common mobile home improvement projects do not fall under the jurisdiction of the LEA and must still be reviewed by HCD under separate authority. Under Title 25, any mobile home park resident that proposes to alter or add to his or her coach is required to obtain approval through HCD, not the city acting as the LEA. Projects always requiring HCD approval include any alterations and additions to the structural, fire-life safety, plumbing, electrical, and mechanical systems and equipment, or the installation of a fire sprinkler system. *Under no circumstances do local jurisdictions have authority to inspect alterations and additions made to these systems and equipment in a mobile home.* This would include the installation of air conditioning equipment, fireplaces, water heaters, and roof overlays, sidewall openings such as adding window and door openings, or remodeling the mobile home.

Thus, in cities that have accepted enforcement authority, a dual and overlapping regulatory system exists in which both city and HCD inspectors are involved in many common alteration projects. An example is the permit process required to open the sidewall of a mobile home to accommodate a proposed add-on room or cabana. Any alteration or addition to the structural, fire-life safety, electrical, plumbing, or mechanical system of the coach to accommodate the cabana is subject to the jurisdiction of the HCD, and the resident would need to obtain a permit through HCD, which would conduct the subsequent inspection. The cabana itself, as an accessory structure to the coach, is the jurisdiction of the city. Therefore, the resident would also need to go through the city for the required permits and inspection for the cabana (if the city had assumed LEA responsibilities).

In Huntington Beach, as with other cities that have not assumed enforcement authority, HCD acts as the sole regulatory agency for alterations and additions as well as installation of accessory structures. Therefore, using the previous example of a sidewall opening to accommodate a cabana, at present the mobile home resident need only apply to HCD for the permit and inspection.

### **Mobile Home Park Inspection under a Dual Enforcement System**

Considering HCD retains jurisdiction over alterations and additions to the manufactured home, the role of a city LEA primarily involves the setup and installation of new mobile homes in the park, as well as implementing the MPA and Title 25 as they relate to all common area structures such as a clubhouse or

laundry facility. However, the LEA is also responsible for conducting park inspections. Recently passed legislation provides an enforcement agency (whether HCD or a city) with greater flexibility in determining the frequency of park inspections. Previously, the enforcement agency was required to inspect all parks within a jurisdiction at least once every seven years; however, the new laws target parks with the most violations from previous inspections and those parks with the most health and safety complaints.

Therefore, under the new guidelines, the frequency of park inspections is largely determined by the LEA. In addition to general park inspections, the enforcement agency is also charged with responding to specific resident complaints. When responding to a complaint, state law requires that the enforcing agency, whether HCD or a city, conduct an inspection within five days if there is a threat of immediate risk to life, health or safety and within 30 days if there is an unreasonable risk to health or safety.

The MPA also provides authority for officers of the enforcement authority to inspect a park's general areas, buildings, and equipment for proper maintenance and Title 25 compliance. With regard to park utility systems, the HCD Mobile Home Parks Manager has indicated that inspections focus on utility service connections at the coach. For example, LEA officers are authorized to inspect such items as: sewage leaks at the lot drain; the lot sewer inlet and/or clean out; and, a fuel gas leak at the lot service.

However, like any private residential or commercial property within the city, the actual utility lines within the park are the property and responsibility of the park owner/operator, not the utility provider. For example, the City maintains and inspects the lines up to the meter that services the park generally. The main and lateral lines that run throughout the park and provide service to individual coaches are the responsibility of the park owner/operator. HCD, as the enforcement agency, would only have cause to inspect these lines in response to a complaint or upon permit issuance (e.g. new construction or an upgrade to an existing facility).

Inspection of mobile home lots also includes proper identification of lot lines, park-owned facilities, utility connections at each home, accessory structure maintenance, separation and setback requirements, use of extension cords, and fire hazards. State law does not provide authority for a LEA to require proactive improvements or construct upgrades not otherwise required by the MPA or Title 25. The enforcement authority only inspects underground utility lines in response to problems or upon issuance of a permit, and then only for the item in the permit. Attachment 2 provides a listing of areas that the enforcing agency may inspect within a mobile home park.

Although a city that assumes enforcement authority is not authorized to issue permits nor perform alteration inspections for the mobile homes themselves, the

MPA does provide a LEA with a means to determine that a mobile home is substandard (in the same way in which HCD could make the determination had the city not assumed enforcement authority). Title 25 lists specific conditions, related to both interior and exterior elements of the coach, that would constitute substandard and nuisance conditions (Attachment 3). It is important to understand, however, that an inspector has limited ability to gain access to the interior of a manufactured home in order to observe potential substandard conditions. Specifically, an inspector may request entry into a mobile home only when conditions observed from the exterior of a home suggest a potential hazardous or substandard condition exists within the home. The homeowner or resident may refuse entry into their home. Alternatively, an inspector may also gain entry into a mobile home when explicitly invited in by the owner or occupant, regardless of the exterior appearance or condition of the coach. If a LEA inspector does gain access to the interior of a mobile home, the inspector is authorized to inspect the interior for substandard and/or nuisance conditions.

If the LEA inspector determines that a violation exists at a mobile home park, he is authorized to issue a written notice of the violation. The written notice shall order the abatement or correction of the violation within five days or longer. If the violation constitutes an imminent hazard representing an immediate risk to the life, health, or the safety of an occupant, the inspector is authorized to post a notice on the structure declaring it uninhabitable. If the violation is not corrected within the time allowed by the initial notice the LEA can issue a final notice of correction. After the expiration of the time period allowed for an order related to a violation, the LEA has the authority to initiate any appropriate action or proceeding to abate the violation, including but not limited to seeking a court order for abatement.

If a city inspector has gained access to the coach, either through direct invitation by the owner/occupant or allowed in after observance of an exterior substandard condition, HCD may play a future role if the inspector issues a notice of violation for anything related to the structural, fire-life safety, electrical, plumbing, or mechanical system of the mobile home. Should the correction require altering the unit, it would be the individual resident's responsibility to obtain the appropriate permit from HCD to make the correction.

### **Local Enforcement Agencies in Orange County**

There are currently 93 local *enforcement agencies* in the state, of which 73 are *enforcing agencies*. The difference can be explained by the number of local agencies that have legally assumed enforcement authority but do not provide actual enforcement. For example, a city may have assumed enforcement authority from HCD, yet designates the county as the *enforcing agency*.

There are nine cities in Orange County that have assumed enforcement responsibilities: Cypress, Dana Point, Irvine, Los Alamitos, Placentia, San

Clemente, San Juan Capistrano, Seal Beach, and Yorba Linda. According to those contacted, the overlapping jurisdictional requirements, in which HCD retains responsibility for alterations and additions to the manufactured home, is an ongoing source of confusion. For example, the City of Fountain Valley took action in 2005 to *return* enforcement authority to HCD, noting in the staff report:

“While two inspectors may provide an additional margin of safety...it is not likely. The two inspectors are looking at two different locations. The HCD inspector could easily assume the City inspector looked at the exterior portion, while in actuality, the City may not even been aware an alteration had occurred. This puts an additional burden on the homeowner or contractors as they are required to pull permits in two different jurisdictions.”

The City of Anaheim, which also returned enforcement authority to HCD, cited similar challenges related to overlapping jurisdiction. According to many officials contacted, the dual inspection process creates frustration for park residents as well, who are referred from one governmental agency to another.

The inability to recover costs was another key concern for both the current and former Orange County LEA cities contacted. Most cities indicated that the mandated state fees only allow for partial cost recovery, forcing the responsible departments to subsidize their mobile home programs with other City revenue. The LEAs also indicated that the mobile home programs require significant resources, and very few officials spoke of any notable benefits to park residents from having the city assume enforcement authority from HCD. For these and other reasons, several of the officials expressed a desire to return enforcement authority to the state.

### **Mobile Home Park Regulation in Huntington Beach**

There are several factors the City Council may wish to consider when evaluating LEA service provision. According to HCD’s Mobile Home Parks Manager, most LEA cities assumed enforcement authority based on a “perceived capacity to improve responsiveness.” Many cities have also incorrectly assumed that local ordinances can be applied in the parks. However, in speaking with officials from other cities that have assumed local authority, staff has learned that the LEA’s ability to improve responsiveness for issues within its jurisdiction has no bearing on HCD’s responsiveness in areas for which it retains responsibility, namely most common mobile home improvement projects. *Moreover, even with local enforcement authority, local ordinances are preempted by State Law, and a city has no authority to enact an ordinance covered by the MPA or Title 25.*

Under existing HCD enforcement authority, when a complaint is received from a Huntington Beach mobile home park resident, the HCD Inspector’s response is based on the current workload and the severity of the issue. The HCD Inspector

responds to immediate risks to health and safety on a priority basis, while other complaints are investigated within 30 days. Both mobile home park owners and residents were contacted as part of the research effort to formulate this report, and neither the park owners nor the residents expressed strong dissatisfaction with the services currently being provided by HCD. All staff dealings with HCD representatives have shown them to be very responsive.

As the current enforcement agency, HCD issues permits to mobile home park residents in Huntington Beach. The closest HCD office is located in Riverside, but a request for a permit can be sent via U.S. mail. The subsequent inspection is performed by an HCD Inspector. Under a City LEA, park residents could see minor convenience, in that some, but not all permits could be processed at the City Hall building counter. However, since HCD retains authority for alterations and additions to the coach, mobile home residents would still be subject to the HCD permit process in many common home improvement projects, and in some instances would require permits from both agencies (e.g. the previous example of a sidewall opening to accommodate a cabana).

### **Permit and Inspection Fees**

As part of the statutory process to assume enforcement authority, a city must adopt the fee schedule set by HCD, and has no ability to either augment or supplement the State-established fees, regardless of whether the State fees cover the LEA's full cost of service provision. According to HCD's Mobile Home Parks Manager, the fees were recently adjusted and are unlikely to be adjusted again soon. Currently, the State annual park permit fee is set at \$25 and the fee per coach is \$6. The total annual permit fees for Huntington Beach mobile home parks is \$17,351. As the LEA, the City would be responsible for collecting these fees and then *paying a portion to the State* to offset the State's administrative expenses. In addition to annual permit fees, the City would be eligible to collect various plan check and permit fees, which are delineated in Attachment 4.

The State's Mobile Home Parks Manager has cautioned that the inability for a city to recover costs is a major reason some LEAs have returned enforcement authority to HCD. This is consistent with anecdotal evidence offered by Building Officials from many Orange County cities that have assumed enforcement authority. Many of those officials warned that the State fees are not sufficient to cover the actual costs of providing plan check and inspection services. Moreover, the MPA specifies that complaints must be investigated without compensation.

### **Cost of Local Enforcement Authority**

All development services departments were asked to evaluate the potential impacts from Huntington Beach assuming LEA with regard to both staffing resources and associated expenses. The following costs were estimated based



on a projected caseload for 2,865 homes within all 18 mobile home parks in the City.

Code Enforcement

Additional Staff Positions	Office Assistant 1 Code Enforcement Officer II (2 positions) Senior Code Enforcement Officer (½ position)
Associated Expenses	Vehicles Computers/Equipment Training
First Year Cost	\$325,634
Subsequent Annual Cost	\$270,384

Building & Safety

Additional Staff Positions	Building Inspector II College Intern (part time)
Associated Expenses	Vehicle Permit System Modification
First Year Cost	\$211,180
Subsequent Annual Cost	\$108,180

City Attorney

Additional Staff Positions:	Deputy City Attorney III (½ position) Legal Secretary (½ position)
Annual Cost	\$117,299

**Total First Year Cost                    \$654,113**

**Total Subsequent Annual Cost \$495,863**

**CONCLUSION**

The potential benefits offered by LEA, such as more frequent general park inspections and the proximity of City Hall, are tempered by the City's inability to both enforce its Municipal Code and process permits for alterations to the manufactured homes in the park. In fact, of those cities contacted, many have concluded that the confusion resulting over the LEA's statutory responsibility to enforce the MPA and Title 25 has the potential to negate any improved responsiveness.

Mobile home parks are different than other neighborhoods in that they are governed under a separate and distinct body of law. As staff learned from its survey of other cities, administering a mobile home park program requires

specific knowledge of the MPA and Title 25. Many cities that at one time accepted enforcement authority ultimately returned that authority to HCD, citing the complexities of those laws and regulations, the high cost of program administration, and the confusion and service delivery issues associated with overlapping jurisdiction.

Early in this report, mobile home parks were compared to school property, in that a local agency has very limited regulatory authority despite the property's presence in city boundaries. Unlike public schools in the city, however, mobile home parks in Huntington Beach are *private* property. Regardless of ownership structure, all private mobile home parks are subject to the MPA and Title 25.

As private property, park ownership and management has the authority to impose more restrictive guidelines, including but not limited to rules related to the park's aesthetic appearance, property maintenance, parking regulations, occupancy restrictions, and the keeping of pets. In contrast, neither HCD nor a city acting as a LEA has the ability to adopt or enforce these rules in a mobile home park. Clearly, this differs from the City's authority in single- and multi-family neighborhoods, where the City Council can adopt ordinances and the City's Building and Safety Department issues permits and conducts inspections for work on private property allowable under the City Code and state law. Although the City could petition HCD to become the LEA in Huntington Beach, there is no legal authority for the City to effectively apply and enforce the community's standards in its 18 mobile home parks.

For the reasons described above, staff does not recommend assuming local enforcement authority for mobile home parks in Huntington Beach.

**Attachments:**

1. Local Agency Mobile Home Regulatory Authority
2. Mobile Home Park Violation Table
3. Substandard and Nuisance Conditions
4. Mobile Home Park Fees (Sections 1004-1025)
5. Comments by Mobile Home Advisory Board
6. Impact Analysis by Code Enforcement
7. Impact Analysis by Planning Department
8. Impact Analysis by Building & Safety Department
9. Impact Analysis by City Attorney
10. Impact Analysis by Fire Department

Local Agency Mobile Home Regulatory Authority

# ATTACHMENT #1

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## **Local Agency Mobile Home Regulatory Authority**

Even without assuming enforcement authority from HCD, the City currently has limited regulatory authority over mobile homes.

Pursuant to Section 18300(g) the City is authorized to:

- Establish certain zones for mobilehome, and mobilehome parks within the City
- Establish types of uses and locations, including family mobilehome parks, senior mobilehome parks, mobilehome condominiums, mobilehome subdivisions, or mobilehome planned unit developments within the City
- Adopt rules and regulations prescribing park perimeter walls or enclosures on public street frontage, signs, access, and vehicle parking
- Prohibit certain uses for mobilehome parks
- Regulate the construction and use of equipment and facilities located outside a mobilehome used to supply gas, water, or electricity or to dispose of sewage or other waste when the facilities are located outside a park
- Require a permit to use a mobilehome outside a mobilehome park and to refuse or revoke said permit if the use violates the Act, the Regulations or a City ordinance applicable to that use
- Require a building permit to construct an accessory structure for a mobilehome when the mobilehome is located outside a mobilehome park, when neither the Act nor the Regulations require the issuance of such a permit
- Prescribe and enforce setback and separation requirements governing the installation of a mobilehome or a mobilehome accessory structure or building installed outside of a mobilehome park

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**Mobile Home Park Violation Table**

**ATTACHMENT #2**

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State of California  
Business, Transportation and Housing Agency  
Department of Housing and Community Development  
DIVISION OF CODES AND STANDARDS

**DISTRICT REPRESENTATIVES**  
**MPM-PI VIOLATION BOOKLET**

**For automated issuance of**  
**The Notice of Violation**

*For use when conducting MPM-PI/PIR and completing the Order for Automated Notice of Violation Issuance, HCD 564.*

*Reference Procedural Manual, Volume IV, Article 531 for instructions.*

Issued: 11/8/2006  
Discard when superseded

MOBILEHOME PARK VIOLATION TABLE

REFERENCE CODE	DESCRIPTION
PEAC	The park/lot electrical service equipment is not accessible for inspection, repair, or disconnection in case of emergency. Provide unobstructed working clearance of at least 30 inches wide by 30 inches deep and 78 high in front of the electrical equipment. [25 CCR 1183; Reference: California Electrical Code, Article 110-26]
PELT1	The lot electrical service equipment does not have the capacity to supply the installed unit. Provide lot electrical service equipment properly sized to supply the connected unit. [25 CCR 1188(a)]
PELT2	The overcurrent protective device at the lot electrical service equipment is rated greater than the ampacity of the MH-unit cord or feeder conductors. Provide properly sized overcurrent protection (breakers/fuses). [25 CCR 1148(a); Reference: California Electrical Code, Tables 310-16, thru 310-19.]
PELT3	The lot/park electrical service equipment is in disrepair or substandard condition and/or not weather proof. Repair or replace the lot/park electrical service equipment. [25 CCR 1170(a), 1134(a), 1188(b); Reference: California Electrical Code, Article 230]
PELT4	The lot/park electrical service equipment has exposed or easily accessible live electrical parts. Cover all exposed live electrical parts and plug unused openings in electrical equipment. [25 CCR 1134(a), 1188(b); Reference: California Electrical Code, Article. 230-62]
PELT5	The conductors supplying the lot electrical service equipment are undersized. Provide feeder conductors sized for the lot electrical service equipment demand. [25 CCR 1134(a); Reference: California Electrical Code, Article 230]
PELT6	The lot electrical service equipment is not properly grounded. Provide a protected and properly-sized copper grounding conductor from the equipment to the grounding electrode. [25 CCR 1162, 1166]
PELT7	The lot electrical service equipment is subject to damage by vehicles. Protect the equipment by installing posts or other barriers approved by the enforcement agency. [25 CCR 1178]
PELT8	The lot service equipment support is inadequate and/or deteriorated. Repair or replace the supports. [25 CCR 1182(a), (b)]
PEMISC	There is an electrical hazard within the park. Make the necessary repairs to eliminate the hazardous electrical condition(s). [25 CCR 1134, 1136, 1140, 1188]
PEPO	The pool dry-niche and/or wet-niche light fixture is not protected by a ground fault circuit interrupter (GFCI). Install the required ground fault circuit interrupter (GFCI). [California Health and Safety Code Section 116049.1; Reference: California Electrical Code Article 680-20]
PESY1	The overhead conductors are located less than eight feet over the unit's roof. Relocate the overhead conductors to provide at least eight feet of clearance. [25 CCR 1134(b); California PUC Rules for Overhead Electrical Line Construction, GO #95, Table 1]
PESY2	The overhead conductor support structures are inadequate and/or have deteriorated. Repair or replace support structures in accordance with the California Public Utilities Commission Rules for Overhead Electrical Line Construction, General Order No. 95. [25 CCR 1134 (b); PUC GO 95]
PESY3	There is exposed non-metallic electrical cable (romex type) being used where it is subject to physical damage. Remove the wiring or install in an approved manner. [25 CCR 1134 (a); Reference: California Electrical Code, Article 336-6(b)]
PESY4	The electrical distribution panels, overcurrent devices, fuses or switches which serve the space, fixture, device or other equipment controlled at the distribution panels are not clearly and permanently marked. Clearly and permanently mark electrical distribution panels, overcurrent device, fuses or switches to identify the space,

MOBILEHOME PARK VIOLATION TABLE

REFERENCE CODE	DESCRIPTION
	fixture, device or other equipment controlled at each distribution panel. [25 CCR 1134(a), 1151; Reference: California Electrical Code, Article 110-22, 230-70]
PFDB	There is an accumulation of refuse, garbage, rubbish, lumber scraps, waste paper, hay, grass, straw, weeds, litter, or other combustible waste on the roof, on the vacant lot, or in the open space. Collect and dispose of these materials. [25 CCR 1120]
PFFS1	There is no operable water outlet for fire suppression at the individual lot. Provide a 1/2 inch valve water outlet (hose bib) designed for connecting a 1/2 inch female swivel hose connection for fire suppression on the lot. [25 CCR 1274, 1308]
PFFS2	Existing fire suppression equipment is not maintained in operable condition. Repair or replace as needed. [25 CCR 1300, 1102(a), 1305]
PFFS3	The unit is located closer than the required separation from a permanent building or a unit on the adjacent lot. Relocate the unit to provide the necessary separation between the permanent building or the adjacent unit or provide approved fire protection equivalent. [25 CCR 1330 (a)]
PFMISC	There is a fire safety hazard within the park. Make the necessary repairs to eliminate the hazardous fire safety condition(s). [25 CCR 1120]
PGGL	Water accumulation under the unit on the lot does not drain or dissipate within a reasonable period creating a health threat. Re-grade or otherwise drain the standing water or install an approved drainage system. [25 CCR 1116]
PGID	The lots in the park are not identified. Provide numbers or designated street addresses for all lots in a conspicuous location for easy identification by emergency vehicles. [25 CCR 1104(a)]
PGPL	A unit is located closer than three feet to a lot line and is within six feet to combustible construction on an adjacent lot. Provide a six-foot separation to combustible construction on the adjacent lot or approved fire protection equivalent. [25 CCR 1330 (a)]
PGMISC	There are hazardous conditions within the park. Make the necessary repairs to eliminate the hazardous condition(s). [25 CCR 1100, 1102(a)]
PMLP1	A park owned liquefied petroleum gas tank, or its equipment, is not protected from vehicular damage. Provide mechanical protection by posts, fencing, or other barriers as approved by the enforcement agency. [25 CCR 1228]
PMLP2	There is inadequate clearance around the Liquefied Petroleum Gas vessel(s) installed on the lot. Provide the necessary separation, as measured from the filling connection or vent, to sources of ignition, direct vent appliances, and mechanical ventilation air intakes as follows: <ol style="list-style-type: none"> <li>1. Ten (10) feet for purposes of filling.</li> <li>2. Five (5) feet to pressure relief valve and the valve must be directed away from openings in the building below the valve.</li> <li>3. The tank may not be located in areas less than 50% open for ventilation. [25 CCR 1208, 1211, 1220]</li> </ol> <p>Note: Lot electrical service is not considered a source of ignition.</p>
PMLT1	The gas meter is inadequately supported. Provide adequate support for the gas meter by means of post and bracket, or other approved means that will provide equivalent support. [25 CCR 1226(a)]

MOBILEHOME PARK VIOLATION TABLE

REFERENCE CODE	DESCRIPTION
PMLT2	The gas outlet riser is subject to damage from vehicular traffic or other causes. Provide mechanical protection by posts, fencing or other barriers as approved by the enforcement agency. [25 CCR 1228]
PMLT3	The lot gas shutoff valve and/or the meter is located under the unit, cabana, habitable accessory building or structure, or is in an inaccessible and/or un-vented location. Relocate the lot gas shutoff valve and/or meter to provide access and ventilation. Ventilation of not less than fifty percent (50%) shall be provided if shut off valve and or meter is located in an unventilated location. [25 CCR 1208, 1218, 1220(c), 1226(b)]
PMLT4	The unused lot gas outlet is not capped or plugged to prevent accidental discharge of gas. Install an approved cap or plug on the unused gas outlet. [25 CCR 1220(d), 1102(a)]
PMLT5	There is a fuel gas leak at the lot service. Immediately repair the fuel gas piping. [25 CCR 1102(a), 1605]
PMMISC	There is a mechanical hazard within the park. Make the necessary repairs to eliminate the mechanical hazard. [25 CCR 1102(a)]
PNPT1	There have been installations and/or construction performed without a permit. No person shall erect, construct, reconstruct, install, replace, relocate, or alter any building, structure, or accessory structure, any electrical, mechanical, or plumbing equipment, fuel gas equipment, or fire protection equipment within a mobilehome park without first obtaining a written construction permit. [25 CCR 1018(a)]
PNPT2	An MH-unit has been installed without a valid permit. Obtain a permit to install the unit. [25 CCR 1324]
PPDV1	There is sewage leak at the lot drain. Immediately repair the leak and maintain the park sewer system. [California Health and Safety Code, Section 18554, 25 CCR 1246, 1102(a)]
PPDV2	The lot sewer inlet and/or clean out is open. Provide a gas-tight cap or plug when not in use. [25 CCR 1102(a), 1254(b)]
PPMISC	There is a plumbing hazard within the park. Make the necessary repairs to eliminate the plumbing hazard. [25 CCR) 1102(a)]
PSMISC	There is a structural hazard within the park. Make the necessary repairs to eliminate the structural hazard. [25 CCR 1102(a)]
PSSS1	There is a structural hazard(s) in the park building(s) causing the building to be substandard. Make the necessary repairs to eliminate the hazardous condition(s). [25 CCR 1102(a), 1605(a), (b)]
PSSS2	There is an electrical hazard(s) in the park building(s) causing the building to be substandard. Make necessary repairs to the electrical system and eliminate the hazardous electrical condition. [25 CCR 1102(a), 1605(a), (d)]
PSSS3	There is a plumbing hazard(s) in the park building(s) causing the building(s) to be substandard. Make all necessary repairs and eliminate the hazardous plumbing condition(s). [25 CCR 1102(a), 1605(a), (e)]
PSSS4	There is a mechanical hazard(s) in the park building(s) causing the building(s) to be substandard. Make all necessary repairs and eliminate the mechanical hazard(s). [25 CCR 1102(a), 1605(a), (f)]
PTOMISC	The park is operating without a valid permit to operate. Apply for the permit to operate. [California Health & Safety Code, Section 18500
REAC	The park/lot electrical service equipment is not accessible for inspection, repair, or disconnection in case of emergency. Provide unobstructed working clearance of at least 30 inches wide by 30 inches deep and 78

MOBILEHOME PARK VIOLATION TABLE

REFERENCE CODE	DESCRIPTION
	inches high in front of the electrical equipment. [25 CCR 1183; Reference: California Electrical Code 110-16]
REAP	Appliances shall not be installed outside of the unit exposed to the weather or connected with an extension cord. Relocate the appliance(s) out of the weather and/or remove the extension cord. [25 CCR 1134(a), 1188(b), (d)]
REEC	Extension cord is being used to supply power to a source that requires a permanent wiring method. Remove the extension cord and rewire using an approved permanent wiring method. [25 CCR 1188(b),]
REFA1	The MH-unit electrical supply conduit is buried. Uncover the supply conduit and support above grade. [25 CCR 1352(e), 2352(f)]
REFA2	In addition to the main electrical supply, there is a second power supply to the MH-unit. Remove the second power supply. [25 CCR 1352, 2352]
REFA3	The electrical supply conduit is missing, damaged, deteriorated, or improperly connected. Repair or replace as necessary. [25 CCR 1188(b)]
REGR	The unit is not properly grounded. The unit shall be grounded by means of a grounding conductor run with circuit conductors or listed power supply cord. [25 CCR 1352, 1163]
REMISC	There is an electrical hazard on the park lot. Make the necessary repairs to eliminate the hazardous electrical condition(s). [25 CCR 1188(b), (c)]
REMP	The main electrical panel of the unit is missing parts/components that now expose live electrical parts. Provide the approved parts/components. [25 CCR 1606(d), 1607(d)]
REPC1	The power cord covering is cracked or deteriorated exposing the conductors. Replace the cord with a cord listed for manufactured home/mobilehome or recreational vehicle use, as appropriate. [25 CCR 1352(a)(1), 1606(d), 1607(d)]
REPC2	The outer covering of the electrical cord is pulled away from the cord plug, exposing the conductors. Repair or replace the cord or plug as necessary (tape and sealant are not an approved method of correction). [25 CCR 1352(a)(1), 1606(d), 1607(d)]
REPC3	The power supply cord is spliced or otherwise improperly altered. Replace the power supply cord. [25 CCR 1352(c)(2)]
REPC4	The power supply cord is buried in the ground or encased in concrete. Remove the dirt or concrete covering and if deteriorated, replace the power supply cord. [25 CCR 1188(b), 1352(g), 2352(f)]
REPC5	The power supply cord rating is less than the total connected electrical load for the unit. Replace the power supply cord with a power supply assembly or cord rated for the ampacity of the connected load. [25 CCR 1352(c) 2352(c)]
REWM1	There is non-metallic electrical cable (romex type) being used in an exposed location where it is subject to physical damage. Remove exposed non-metallic cable or install in an approved manner. [25 CCR 1134(a); Reference: California Electrical Code, Article 336-6]
REWM2	Electrical equipment and/or electrical receptacles installed in an exterior location are not approved for wet or damp locations. Remove the unapproved equipment or device(s) or replace with equipment or device(s) approved for installation in damp or wet locations. [25 1134(a), 1170(a)]

MOBILEHOME PARK VIOLATION TABLE

REFERENCE CODE	DESCRIPTION
RFDB	There is an accumulation of refuse, rubbish, lumber scraps, paper, leaves, brush, or other combustible materials under or around the MH-unit. Remove the accumulation of debris. [25 CCR 1120(a)]
RFEG	One or more required exterior egress doors are blocked or locked with an exterior hasp, preventing emergency exit. Remove the material or hasp from in front of the doors and provide for proper exiting. [25 1606(c), 1607(c), 1608(c)]
RFMISC	There is a fire safety hazard on the park lot. Make the necessary repairs to eliminate the hazardous fire safety condition. [25 CCR 1120]
RGAN	There is an accumulation of animal feces on the lot. Remove the animal feces from the lot. [25 CCR 1114]
RGMISC	There are hazardous conditions on the park lot. Make the necessary repair to eliminate the hazardous conditions. [25 CCR 1100, 1102(a)]
RGMU	There is more than one unit occupying the lot. Remove the additional unit(s). Exception: Only self-propelled RVs or truck mounted campers may be parked beside the unit when used as a means of transportation. Such vehicle shall not be occupied or connected to the lot utilities or interconnected with the occupied unit. [25 CCR 1118]
RGPL	A unit is located closer than three feet to a lot line and is within six feet of a unit or combustible structure on an adjacent lot. Provide a six-foot separation to combustible construction on the adjacent lot or approved fire protection equivalent. [25 CCR 1330]
RGSS1	A structural hazard exists which directly affects the unit. This condition violates minimum health and safety standards and requires correction. [25 CCR 1606(b), 1607(b)]
RGSS2	An electrical hazard exists which directly affects the unit. This condition violates minimum health and safety standards and requires correction. [25 CCR 1606(d), 1607(d)]
RGSS3	A plumbing hazard exists which directly affects the unit. This condition violates minimum health and safety standards and requires correction. [25 CCR 1606(e), 1607(e)]
RGSS4	A mechanical hazard exists which directly affects the unit. This condition violates minimum health and safety standards and requires correction. [25 CCR 1606(f), 1607(f)]
RGSS5	A faulty weather protection condition exists which directly affects the unit. This condition violates minimum health and safety standards and requires correction. [25 CCR 1606(g), 1607(g)]
RMGC1	The flexible gas connector between the unit and the lot gas outlet or liquefied petroleum gas tank is buried in the ground or encased in concrete. Remove the dirt cover or concrete encasement. [25 CCR 1208(a), 1606(f), 1607(f)]
RMGC2	The flexible gas connector between the unit and the lot gas outlet is damaged or deteriorated. Replace the flexible gas connector. [25 CCR 1606(f), 1607(f)]
RMLP1	LP-gas vessels are not secured to prevent accidental over turning. Provide an approved method to secure and support LP-gas containers and vessels. (e.g. secured to the unit's hitch, a support post, or other approved means) [25CCR 1208, 1211]
RMLP2	The lot contains LP-gas containers or vessels with a capacity of 125 gallons or more. LP-gas containers or vessels one hundred twenty-five (125) US gallons or more shall comply with the applicable provisions of the Unfired Pressure Vessel Safety Orders, California Code of Regulations, Title 8, Chapter 4, Subchapter 1.

MOBILEHOME PARK VIOLATION TABLE

REFERENCE CODE	DESCRIPTION
	Comply with these provisions or reduce the capacity of the containers or vessels to less than 125 US gallons. [25 CCR 1208, 1210, 1211]
RMPL3	There is inadequate clearance around the Liquefied Petroleum Gas vessel(s) installed on the lot. Provide the necessary separation, as measured from the filling connection or vent, to sources of ignition, direct vent appliances, and mechanical ventilation air intakes as follows: <ol style="list-style-type: none"> <li data-bbox="272 491 691 516">1. Ten (10) feet for purposes of filling.</li> <li data-bbox="272 537 1403 592">2. Five (5) feet to pressure relief valve and the valve must be directed away from openings in the building below the valve.</li> <li data-bbox="272 613 1075 672">3. The tank may not be located in areas less than 50% open for ventilation. [25 CCR 1208, 1211, 1220]</li> </ol> Note: Lot electrical service is not considered a source of ignition.
RMLP4	LP-gas vessels are stored inside or beneath an unventilated accessory structure, or MH-unit. Remove the LP-gas vessels from this location. [25CCR 1212]
RMMA	The gas meter provided on the lot has been enclosed or obstructed in such a manner as to restrict ventilation to the gas meter. Remove enclosure or obstruction to provide accessibility and ventilation to the gas meter. [25 CCR 1226(b)]
RMMISC	There is a mechanical hazard on the park lot. Make the necessary repairs to eliminate the mechanical hazard. [25 CCR 1102(a)]
RMMT	The unit is connected to a natural gas supply but has a gas line system (unlined copper) which is designed and approved for LP gas only. Obtain a permit and replace the gas system or connect the LP system to LP gas only. [25 CCR 1606(f), 1607(f)]
RMSU	Gas piping has been extended beneath the unit in an unapproved manner. Provide metal hangers at maximum intervals of four feet to support the gas piping off the home. [25 CCR 1224(b), 1354(b), (c)]
RMWH1	The water heater is not properly vented. Properly vent the appliance to the exterior. [25 CCR 1438, 1606(f), 1607(f), 1608(f)]
RMWH2	Access to the water heater is obstructed by an accessory structure or other construction/storage. Provide clear access to the water heater. [25 CCR 1438, 1510, 1606(f), 1607(f), 1608(f)]
RMWH3	The water heater is not properly protected from the weather. Provide a protective covering or enclosure for the water heater. [25 CCR 1438, 1606(f), 1607(f), 1608(f)]
RMWH4	There is inadequate combustion air to the water heater. Provide combustion air openings to the water heater compartment. [25 CCR 1438, 1606(f), 1607(f), 1608(f)]
RMWH5	The water heater pressure valve is inoperable, missing, or the pressure valve piping is of an inadequate size or is not properly extended to the exterior. Provide an operating pressure relief valve and/or extend the drain on the valve to the exterior. The drain piping must be at least the size of the pressure relief valve threaded outlet and shall not be threaded on the discharge end. [25 CCR 1438, 1606(f), 1607(f), 1608(f), California Plumbing Code 608]
RMWH6	There is inadequate clearance from the water heater and/or its vent to combustibles. <ul style="list-style-type: none"> <li data-bbox="272 1831 1166 1856">- Provide minimum six (6) inch clearance from single wall vent pipes to combustibles.</li> <li data-bbox="272 1860 1279 1885">- Provide minimum one (1) inch clearance from double wall, type "B" vent pipes to combustibles.</li> <li data-bbox="272 1890 1308 1915">- Provide clearance from water heater to combustibles as specified by the water heater manufacturer.</li> </ul>

MOBILEHOME PARK VIOLATION TABLE

REFERENCE CODE	DESCRIPTION
	[25 CCR 1438, 1616(f), 1607(f), 1608(f), California Plumbing Code 516.5]
RNPT1	No permit was obtained for the installation and/or construction performed. No person shall erect, construct, reconstruct, install, replace, relocate or alter any building, structure or accessory building, any electrical, mechanical, or plumbing equipment,) any fuel gas equipment installation, or any fire protection equipment within a mobilehome park or a mobilehome lot without first obtaining a written construction permit. [25 CCR 1018]
RNPT2	The MH-unit has been altered without a permit. You are required to obtain a permit for the alteration. [California Health and Safety Code, Division 13, Part 2 Mobilehome-Manufactured Housing Act of 1980, Section 18029]
RNPT3	A valid permit was not obtained to install the MH-unit. Obtain a permit to install the mobilehome. [25CCR 1324]
RPDS1	There is a leak in the drain line system of the unit. Repair the leak. [California Health and Safety Code, Section 18554, 25 CCR 1606(e), 1607(e)]
RPDS2	The drain line system is not maintained with a proper grade. A grade of not less than 1/8 inch per foot between the mobilehome or recreational vehicle and the lot drain inlet must be provided. [25 CCR 1358(d), 1606(e), 1607(e)]
RPMISC	There is a plumbing hazard on the park lot. Make the necessary repairs to eliminate the plumbing hazard. [25 CCR 1102(a)]
RPMS	Waste water from the clothes washer, sink, or other plumbing fixture is being discharged upon the ground or into an unapproved plumbing connection. A connection must be installed to an approved drainage system. [California Health and Safety Code, Section 18554, 25 CCR 1358 1606(e), 1607(e), 1608(e)]
RSAE1	Part or all of the awning/carport enclosure is constructed with combustible material and is within three feet of the lot line and six feet from a unit or combustible structure on an adjacent lot. Remove all combustible material from within six feet of the combustible construction on the adjacent lot. [25 CCR 1428(a), (b)]
RSAE2	The awning/carport enclosure is structurally unsound. Remove the enclosure or repair to meet minimum structural requirements. [25 CCR 1608(b)]
RS AW1	The awning or carport supports are missing, severely damaged or unanchored. Repair, replace or reinstall the awning or carport supports. [25 CCR 1608(b)]
RS AW2	Part or all of the awning/carport is constructed with combustible material and is within three feet of the lot line and six feet from a unit or combustible structure on the adjacent lot. Remove all combustible material from within six feet of the combustible construction on the adjacent lot. [25 CCR 1428(a), (b)]
RS AW3	The awning or carport is structurally unsound. Remove or repair the awning or carport. [25 CCR 1608(b)]
RSCB1	The condition of the cabana is substandard; i.e. faulty weather protection, improper maintenance, structural inadequacies, or other inadequacies. Repair the substandard condition or remove the cabana from the lot. [25 CCR 1608(a), (b), (g)]
RSCB2	The cabana has been constructed within three (3) feet of the lot line. Reconstruct or remove the cabana so that no portion of the structure is within three feet of the lot line. [25 CCR 1428(b)]



MOBILEHOME PARK VIOLATION TABLE

REFERENCE CODE	DESCRIPTION
RSGR1	The porch and/or deck is constructed 30 inches or more above the ground and does not have a guard rail. Provide a guardrail around the perimeter of the porch and/or deck, no less than 36 inches above the floor of the porch and/or deck. [25 CCR 1502; Reference: California Building Code 509]
RSHR1	The stairway to the mobilehome or accessory structure does not have a handrail. Every stairway with four or more steps or more than 30 inches above grade shall be equipped with handrails and intermediate rails. Install the required handrail and intermediate rails on the stairway. [25 CCR 1504, California Building Code 509]
RSHR2	The stairway handrail is structurally unsound. Reconstruct the stairway handrail. [25 CCR 1608(b)]
RSMISC	There is a structural hazard on the park lot. Make the necessary repairs to eliminate the structural hazard. [25 CCR 1102(a)]
RSMS1	The porch/deck is structurally unsound. Reconstruct or remove the structure. [25 CCR 1608(b)]
RSMS2	The porch is installed within three feet of the lot line and six feet from a unit or combustible structure on the adjacent lot. Remove all combustible material from within six feet of the unit or combustible construction on the adjacent lot. 25 CCR 1428(a), (b)]
RSMS3	The garage or storage building is constructed with combustible material and is within three (3) feet of the lot line or six feet from a unit or combustible structure on the adjacent lot. Remove all combustible material from within six feet of the combustible construction on the adjacent lot. [25 CCR 1443]
RSMS4	The private garage or storage building is structurally unsound. Reconstruct or remove the garage or storage building. [25 CCR 1608(b)]
RSSC1	A storage cabinet (shed) is constructed with combustible material and is within three feet of the lot line or six feet from combustible construction on the adjacent lot. Remove all combustible material from within six feet of the combustible construction on the adjacent lot. [25 CCR 1428(a), (b)]
RSSC2	The storage cabinet (shed) is substandard. Reconstruct or remove the storage cabinet (shed). [25 CCR 1608(b)]
RSSL4	The stairway and/or landing is structurally unsound. Replace or reconstruct the stairway and/or landing. [25 CCR 1498(a), 1608(b)]
RSSW1	There is no complying stairway at each required exit. Provide a complying stairway at each required exit. [25 CCR 1429, 1368]
RSSW2	The step(s) of the stairway is/are structurally unsound. Reconstruct or provide a new complying stairway. [25 CCR 1498(a), 1608(b)]

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**Substandard and Nuisance Conditions**

**ATTACHMENT #3**



## **Substandard and Nuisance Conditions**

- Lack of, inoperable or defective plumbing pipes or fixtures
- Lack of hot and cold running water to plumbing fixtures
- Dampness of habitable rooms
- Infestation of insects, vermin, or rodents
- General dilapidation or improper maintenance
- Lack of or defective connection of plumbing fixtures to a sewage disposal system
- Deteriorated or inadequate foundation or stabilizing devices
- Defective or deteriorated ceilings, roofs, flooring, walls, partitions or other supports
- Lack of adequate or defective ventilation
- Lack of adequate room and space dimensions
- Inadequate, defective or unsafe electrical wiring or conductors
- Lack of, inoperable, or defective electrical lighting
- Lack of, inoperable, or defective plumbing traps or venting of plumbing drain piping
- Incorrectly installed fixtures, fittings, devices, or connections that permit contamination of the potable water supply
- Unsafe mechanical equipment, including heating or fuel burning equipment
- Unvented fuel burning heating appliances unless their use is permitted by all applicable laws and regulations
- Lack of, inoperable, or defective heating
- Faulty weather protection, including deteriorated or ineffective waterproofing of exterior walls, roof, or floors, including broken windows or doors
- Devices, apparatus, equipment, or combustible materials present in a condition likely to cause a fire or explosion or to provide a ready fuel to augment the spread and intensity of a fire or explosion
- Accumulation of weeds, vegetation, rubbish, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions

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Mobile Home Park Fees (Sections 1004-1025)

**ATTACHMENT #4**

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## CHAPTER 2. MOBILEHOME PARKS AND INSTALLATIONS

### Article 1. Administration and Enforcement

#### § 1000. Application and Scope.

(a) Except as otherwise provided in sections 18300, 18303, and 18304, Health and Safety Code, the provisions of this chapter shall apply to the construction, use, maintenance, and occupancy of mobilehome parks, mobilehome and special occupancy lots, permanent buildings, accessory buildings or structures, and building components wherever located, both within and outside of mobilehome parks, in all parts of the state. These provisions shall also apply to the use, maintenance, and occupancy of manufactured homes, mobilehomes, multi-unit manufactured homes and recreational vehicles, and the installations for supplying fuel gas, water, electricity, and the disposal of sewage from accessory buildings or structures, building components, recreational vehicles, manufactured homes, multi-unit manufactured homes and mobilehomes wherever located within mobilehome parks, in all parts of the state.

(b) Provisions that apply only to Special Occupancy Parks, or separate designated special occupancy park sections within a park, are located in Title 25, California Code of Regulations, Division 1, chapter 2.2 of this division.

(c) Existing construction, connections, and installations of units, accessory buildings and structures, building components, plumbing, electrical, fuel gas, fire protection, earthquake resistant bracing, and permanent buildings made before the effective date of the requirements of this chapter may continue in use so long as they were in compliance with requirements in effect at the date of their installation and are not found to be substandard.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18303, 18304, 18552, 18605, 18610, 18612, 18613, 18620, 18630, 18640, 18670, 18690, and 18691, Health and Safety Code.

#### § 1002. Definitions.

In addition to the definitions contained in this section, which apply only to this chapter, the definitions contained in sections 18200-18700 of the Health and Safety Code and those definitions relating to building standards contained in Title 24, California Code of Regulations Parts 2, 3, 4, and 5, are also applicable to this chapter.

(a) --A-

(1) Accessory building or structure. Any awning, window awning, cabana, ramada, storage cabinet, storage building, private garage, carport, fence, stairway, ramp, or porch, or any other building or structure other than a patio, established for the use of the occupant of a unit.

(2) Approved. Reviewed and/or inspected and deemed acceptable to the local enforcement agency.

(3) Architect. A person licensed by the State of California, qualified to practice architecture in this state. For purposes of this chapter, an architect designing or approving plans shall have skill, knowledge, and expertise in that scope of practice.

(4) Awning. An accessory structure, used for shade or weather protection, supported by one or more posts or columns and partially supported by a unit or other accessory structure installed, erected, or used on a lot.

(5) Awning Enclosure. An enclosure designed for outdoor recreational purposes, not for habitation, constructed under an awning or freestanding awning, which may include a screen room, and either an accessory building or structure, or a building component.

(6) Awning, Freestanding. An accessory structure, used for shade or weather protection, supported entirely by columns or posts and, other than flashing, not attached to or supported by a unit or other accessory structure.

(7) Awning, Window or Door. An accessory structure, used for shading a window or door, supported wholly by the unit or other accessory building or structure to which it is attached.

**(b) –B-**

(1) Branch Water Service Line. That portion of the water distribution system extended from the park water main to a lot, including connections, devices and appurtenances.

(2) Building Components. Any subsystem, subassembly, or other system, constructed or assembled in accordance with the provisions of California Factory-Built Housing Law, contained in the California Health and Safety Code commencing with section 19960, designated for use in, or as part of, an accessory building or structure, which may include structural, electrical, mechanical, plumbing, and fire-protection systems and other systems affecting health and safety. However, "building components" do not include appliances or equipment, such as heaters, stoves, refrigerators, or air conditioners, which have been listed and labeled by an approved testing and listing agency.

(3) Building Standard. Any rule, regulation, or other requirement adopted by the California Building Standards Commission, or a local government pursuant to Section 17958.5 of the Health and Safety Code, pertaining to the construction, plumbing, electrical, and fuel gas equipment, and installations within permanent buildings in parks. See also section 18909 division 13, part 2.5.

**(c) –C-**

(1) Cabana. A freestanding accessory building or structure, or building component of a unit, located immediately adjacent to and intended to increase the living area of that unit, which is a portable, demountable, or permanent room enclosure or other building erected or constructed for habitation. A cabana shall not exceed the size of the unit to which it is an accessory.

(2) California Building Code. California Code of Regulations, Title 24, Part 2, as adopted and published by the California Building Standards Commission.

(3) California Electrical Code. California Code of Regulations, Title 24, Part 3, as adopted and published by the California Building Standards Commission.

(4) California Fire Code. California Code of Regulations, Title 24, Part 9, as adopted and published by the California Building Standards Commission.

(5) California Mechanical Code. California Code of Regulations, Title 24, Part 4, as adopted and published by the California Building Standards Commission.

(6) California Plumbing Code. California Code of Regulations, Title 24, Part 5, as adopted and published by the California Building Standards Commission.

(7) Carport. An accessory structure for vehicle parking, used for shade or weather protection, supported by one or more posts or columns and partially supported by a unit or other accessory structure installed, erected, or used on a lot.

(8) Carport, Freestanding. An accessory structure for vehicle parking, used for shade or weather protection, supported entirely by columns or posts and, other than flashing, not attached to or supported by a unit or other accessory structure.

(9) Certificate of Occupancy. A document issued by the enforcement agency when an MH-unit or commercial modular, installed on a foundation system, is approved for occupancy by the enforcement agency.

(10) Certification. The department's stamp of approval applied to the earthquake resistant bracing system manufacturer's plans and installation instructions.

(11) Cited Person. A person or entity issued a notice of violation for a violation of this chapter or applicable laws who is responsible for its correction.

(12) Combustible. As applied to building construction is any material or construction which does not meet the criteria of noncombustible as defined in subsection (n) of this section.

(13) Common Area. An area, within the boundaries of the park, that is not specific to any lot or space and is under the ownership and control of the park.

(14) Commercial Modular. "Commercial modular" means a structure transportable in one or more sections, designed and equipped for human occupancy for industrial, professional, or commercial purposes, which is required to be moved under permit, and shall include a trailer coach as defined in section 635 of the Vehicle Code. "Commercial coach" has the same meaning as "commercial modular" as that term is defined in section 18001.8 of the Health and Safety Code.

(15) Concrete Block Pier. An assembly of load-bearing, concrete blocks with wooden wedges used to support and level a unit.

(16) Concrete Pier. A concrete load-bearing support that incorporates into its structure an adjustable means of raising and leveling the unit.

(17) Contractor. Any person as defined in Business and Professions Code section 7026 through 7026.3.

(d) -D-

(1) Department. The Department of Housing and Community Development.

(2) Dependent Unit. A unit not equipped with a toilet and sewage disposal system.

(3) Drain Connector. The extension, from the unit's or accessory building's or structure's drain outlet, to the lot's drain inlet.

(4) Drain Outlet. The discharge end of a unit's or accessory building's or structure's, sewage drainage system.

(e) -E-

(1) Earthquake Resistant Bracing System (ERBS). An anchoring system, bracing system, or other device designed and constructed for the purpose of protecting the health and safety of the occupants of, and reducing damage to, an MH-unit in the event of an earthquake. See also, "ERBS."

(2) Electrical Feeder Assembly. The overhead or underchassis feeder conductors, including the equipment grounding conductor, together with the necessary fittings and equipment, designed for the purpose of delivering energy from the lot electrical service equipment to the branch circuit distribution panelboard of the unit or accessory building or structure.

(3) Electrical Service, Park. The conductors and equipment for delivering electrical energy from the electrical supply system or the generator of an isolated plant, to the electrical wiring system of the park.

(4) Electrical System, Park-Primary. That part of the electrical wiring system of the park distributing electrical energy to the park's secondary electrical system.

(5) Electrical System, Park-Secondary. That part of the electrical wiring system of the park distributing electrical energy at a nominal 120 or 120/240 volts, single phase.

(6) Electrical Wiring System, Park. All of the electrical equipment, appurtenances and related electrical installations outside of permanent buildings, units, and accessory buildings or structures within a park.

(7) Emergency. An occurrence constituting a present or imminent serious risk to life, health, safety, or property requiring immediate correction.

(8) Energize. The act of applying electrical energy, or gas or water pressure.

(9) Enforcement Agency. The Department of Housing and Community Development, or any city, county, or city and county that has assumed responsibility for the enforcement of this chapter and chapter 2.2 pursuant to sections 18300 and 18865 of the Health and Safety Code.

(10) Engineer. A person registered with the State of California as a professional engineer qualified to practice engineering in this state. For purposes of this chapter, an engineer designing or approving plans shall have skill, knowledge, and expertise in that scope of practice.

(11) Equipment. All materials, appliances, devices, fixtures, fittings, or accessories used in the structural, fire safety, plumbing, mechanical, and electrical systems of units, accessory buildings and structures, buildings, structures, infrastructures, and systems subject to this chapter.

(12) ERBS. The acronym for an earthquake resistant bracing system.

(13) ERBS-Manufacturer. A person, firm or business engaged in assembly or construction of earthquake resistant bracing systems for MH-units.

(14) ERBS-Manufacturer's Installation Instructions. The specific written directions for an earthquake resistant bracing system to be installed on or under MH-units.

**(f) –F-**

(1) Feeder. The conductors for conveying electrical energy between any two points in the park's electrical, wiring system excluding electrical feeder assemblies.

(2) Fence. A freestanding vertical wall structure.

(3) Fire Agency. A city, county, or city and county fire department, or fire district.

(4) Fire Hydrant. A connection to a water source for the purpose of supplying water to a fire hose or other fire protection apparatus, and for the purposes of this chapter, includes a standpipe.

(5) Fire Hydrant, Private. A fire hydrant including wet standpipes owned by the park.

(6) Fire Hydrant System. All fire hydrants, water piping, pumps, tanks, and valves attached to the water system supplying the hydrants.

(7) Footing. The portion of a support, in direct contact with the ground, that distributes imposed loads to the soil.

**(8) Forms**

(A) Annual Permit To Operate (local enforcement agency) HCD 503B, dated 7/04.

(B) Application For Alternate Approval, HCD 511, dated 7/04.

(C) Application For Certification Of Manufactured Home Or Mobilehome Earthquake Resistant Bracing System, HCD 50 ERBSCERT, dated 7/04.

(D) Application For Permit To Construct, HCD 50, dated 7/04.

(E) Application For Permit To Operate, HCD 500, dated 7/04.

(F) Application For Standard Plan Approval, HCD 520, dated 7/04.

(G) Certificate of Occupancy, HCD 513C, dated 7/04.

(H) Floodplain Ordinance Compliance Certification For Manufactured Home/Mobilehome Installations, HCD 547, dated 7/04.

(I) Manufactured Home or Mobilehome Installation Acceptance (Local Enforcement Agency), HCD 513B, dated 7/04.

(J) Manufactured Home or Mobilehome Installation Acceptance, HCD 513A, dated 7/04.

(K) Permit To Operate (local enforcement agency) HCD 500A, dated 7/04.

(L) Plot Plan, HCD 538, dated 7/04.

(M) Private Fire Hydrant Test And Certification Report, HCD MP 532, dated 01/07.

(N) School Impact Fee Certification, HCD MP 502, dated 7/04.

(9) Foundation System. An assembly of materials designed and engineered by an architect or engineer to resist the imposition of external forces once the MH-unit or commercial modular is installed upon it. The installation on a foundation is classified as one of the following:

(A) Foundation installation – a fixture or improvement to real property, recorded with the county recorder's office, once recorded is no longer personal property, and which complies with the requirements of Health and Safety Code section 18551(a); or

(B) Chattel installation – neither a fixture nor an improvement to real property, not recorded with the county recorder's office, remains personal property, and which complies with the requirements of Health and Safety Code section 18551(b).

**(g) –G-**

(1) Garage. An enclosed accessory building or structure located on a lot and designed for the storage of motorized vehicles.

(2) Gas Connector. A flexible connector, listed for exterior use, to convey gas from a gas riser outlet to the gas supply connection of a unit.

(3) Gas Piping System, Park. The pipe, equipment and related installations, outside of permanent buildings, units, or accessory buildings or structures, for distributing gas throughout the park.

(4) Gas Riser Outlet. That portion of a park gas service lateral or gas piping system, extending above ground, serving a lot.

(5) Gas Service Lateral. The pipe or that portion of a park gas piping system, extending from the main park gas line to the individual gas riser outlet serving a lot.

(6) Good Cause. What the enforcement agency would find to be a reasonable basis for failing to appear at the time and place scheduled for a hearing, informal conference, formal hearing, or for not complying with a specified timeline.

(7) Greenhouse. An accessory structure constructed mainly of translucent or transparent materials used for the cultivation of plants.

(8) Gross Floor Area. The floor area enclosed within the surrounding exterior walls of a unit, accessory building or structure, or portions thereof. Where there are no walls, "gross floor area" means the usable area contained within the horizontal projection of the roof and floor.

(9) Ground Anchor. That part of a tiedown assembly that is inserted into the ground.

(10) Guardrail. A vertical barrier erected along the open edges of a porch or other elevated area to prevent persons from falling to a lower level.

**(h) –H-**

(1) Habitable Room or Structure. Any structure or room within a structure meeting the requirements of this chapter for sleeping, living, cooking, or dining purposes, excluding such enclosed spaces as awning enclosures, closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, unfinished cellars, utility rooms, and similar spaces.

(2) Handrail. A railing provided for grasping with the hand for support, erected along one or more edges of a stairway or ramp.

(3) Hearing Officer. The authorized representative of the enforcement agency, or other official authorized to conduct hearings.

**(i) –I-**

(1) Independent Unit. A unit equipped with a toilet and designed to be connected to a lot sewer inlet.

(2) Identification Label. A decal, tag, or label indicating acceptance by the department of a standard plan for an accessory building or structure.

(3) Insignia or Label of Approval. A tag or label required pursuant to Health and Safety Code section 18026 or 18027.3 and permanently affixed to each section of a unit indicating compliance with applicable regulations of the department or with the Federal Manufactured Home Construction and Safety Standards, Title 24 of the Code of Federal Regulations, Part 3280.

(j) -J-  
Reserved

(k) -K-  
Reserved

(l) -L-

(1) Landing, Stairway. An individual platform, not to exceed twelve (12) square feet, usually at the top or bottom of a stairway, to ease the transition from a stairway to a level walking surface. Landings for ramps must comply with requirements in the California Building Code.

(2) Lath structure. An accessory structure of open design, having no solid roof or walls.

(3) Listed. All equipment, materials, products, and installations included in a list published by an approved listing agency.

(4) Listing Agency. An independent agency approved by the department that:

(A) is in the business of listing and labeling equipment, materials, products, or installations; and

(B) maintains a periodic inspection program on current production of listed equipment, materials, or products or periodic evaluations of listed installations; and

(C) makes available at least annually a published report of listings that includes specific information about the nationally recognized standard with which each item complies and the manner in which the item is safe for use, or information about the listed equipment, material, product, or installation that has been tested and found suitable for use in a specified manner.

(5) Load. Any of the forces that a structure is designed to withstand, including any permanent force such as the weight of a roof, known as a dead load; any moving or temporary force, such as the weight of occupants, known as a live load; wind loads imposed by wind activity; and seismic loads imposed by seismic activity.

(6) Lot Access. An unobstructed way or means of approaching a roadway or public thoroughfare to or from a lot.

(7) Lot Electrical Service Equipment, Park. That equipment containing the means to connect or disconnect overcurrent protective devices and receptacles, or other means for supplying a unit, listed appliance, accessory building or structure, or building component from the park's electrical supply.

(8) Lot Line Change. The alteration, movement, or shifting of a lot line for an existing lot.

(9) Lot Line Creation. The initial establishment of a lot line for a new lot.

(10) Lot Water Service Outlet, Park. That portion of the park's water distribution system, including equipment and devices, provided with a fitting for connecting a unit's water connector.

(m) -M-

(1) MH-unit. A term, as used in this chapter, to replace references to "mobilehome, manufactured home, and multi-unit manufactured housing".

(2) Maintenance Inspection. A general park inspection by the enforcement agency, undertaken pursuant to Health and Safety Code section 18400.1 in effect at the time of the inspection.

(3) Mobilehome/Manufactured Home Installation Acceptance Certificate. A document issued by the enforcement agency when an MH-unit is approved for occupancy by the enforcement agency pursuant to Health and Safety Code section 18613 or 18551(b).

(4) Model. A specific design or style of an accessory building or structure, foundation system, earthquake resistant bracing system, or tiedown system designed as a specific assembly of component structural parts. Any difference in materials or construction or dimensions, which affect the structural design, shall constitute a different model.

(n) -N-

(1) N.F.P.A. An acronym for the National Fire Protection Association.

(2) Noncombustible. As applied to building construction is any material which meets the criteria for "noncombustible" as specified in section 215 of the California Building Code.

(3) Nuisance. A "nuisance" is as defined in Civil Code section 3479; "private nuisance" is as defined in Civil Code section 3481; and "public nuisance" is as defined in Civil Code section 3480 and Penal Code section 370.

(o) -O-

(1) Occupant. For the purposes of this chapter, means a person who lawfully occupies a unit on a lot.

(2) Occupied Area. The total of all the space occupied by a unit, including eave overhangs and projections; building components; and all accessory buildings or structures on a lot.

(3) Operator. The person or entity to whom a permit to operate is issued by the enforcement agency.

(4) Owner. The person or entity that legally owns or possesses an item, property, or business through title, lease, registration or other legal document.

(p) -P-

(1) Park. For purposes of this chapter, is any manufactured housing community or mobilehome park.

(2) Park Trailer. A recreational vehicle as defined in Health and Safety Code section 18009.3.

(3) Patio. A paved or raised area not to exceed eight (8) inches in height above grade, used for access or recreational activities.

(4) Permanent Building. Any permanent structure under the control and ownership of the park owner or operator which is not on a lot and is expressly used in the operation of the park such as for the park office, a community center, or park storage facilities.

(5) Permit to Operate. A permit issued annually by the enforcement agency authorizing operation of a park.

(6) Pier. A vertical support constructed of concrete, steel, or concrete block for the transmission of loads from a unit, accessory building or structure, or building component, to a footing. A pier does not include the footing.

(7) Porch. A freestanding, outside walking platform with an area exceeding twelve (12) square feet, having a floor or deck surface elevated more than eight (8) inches above grade.

(8) Power Supply Cord. A flexible cord assembly of conductors, including a grounding conductor, connectors, attachment plug cap, and all other fittings, grommets, or devices, designed for the purpose of delivering electrical energy from the park's lot electrical service equipment to the branch circuit distribution panelboard of the unit.

(9) Private Fire Hydrant. See "Fire Hydrant, Private".

(q) -Q-

Reserved

(r) –R-

- (1) Ramada. Any freestanding roof, or shade structure, installed or erected above a unit or accessory building or structure or any portion thereof.
- (2) Ramp. An accessory structure providing a sloping path of travel, intended for pedestrian traffic.
- (3) Recreational Vehicle. A vehicle as defined in section 18010 of the Health and Safety Code and includes a park trailer, as defined in Section 18009.3 of the Health and Safety Code.
- (4) Registered Owner. A person registered by the appropriate department as the owner of the unit.
- (5) Responsible Person. For purposes of this chapter, is any of the following:
  - (A) The park owner or operator for park-owned property or facilities.
  - (B) An available person, employed by the park for emergencies, as defined in section 18603 of the Health and Safety Code.
  - (C) Any person or entity that obtains a permit to construct.
  - (D) The owner of a unit, accessory building or structure, or building component.
- (6) Retaining Wall. A wall designed to resist the lateral displacement of soil or other materials.
- (7) Roadway. A thoroughfare for vehicular traffic within a park.

(s) –S-

- (1) Sanitation Station, Recreational Vehicle. A plumbing receptor designed to receive the discharge of sewage holding tanks of self-contained recreational vehicles and which is equipped with a water hose connection for washing the receptor.
- (2) Sewage Drain Lateral. That portion of the park sewage system that extends to an individual lot drain inlet.
- (3) Sewage Drainage System. All the piping within or attached to the unit or accessory building or structure that conveys sewage or other liquid wastes to the drain outlet.
- (4) Sewer, Park. That part of the park sewage drainage system beginning at the lot drain inlet or from a point two feet downstream from a permanent building drain connection and terminating at the public sewer or private sewer disposal system.
- (5) Shall. "Shall" means required, and includes "must" and "will".
- (6) Skirting. Material used to enclose or partially enclose the area under a unit or accessory building or structure.
- (7) Standard Plan Approval (SPA). A plan approved by the department for an accessory building or structure, an engineered tiedown system, or a foundation system, to be installed or constructed on a repetitive basis, for the purpose of obtaining a construction permit through an enforcement agency.
- (8) Stairway. A step or any configuration of steps or risers where the run (length) of an individual tread or step does not exceed thirty (30) inches, and which is designed to enable passage from one elevation to another.
- (9) Steel Pier. A steel support that incorporates into its structure an adjustable means of raising and leveling the unit or accessory building or structure that the pier supports.
- (10) Storage Building. An accessory building that may exceed ten (10) feet in height or one hundred twenty (120) square feet of gross floor area located on a lot, designed and used solely for storage of the personal equipment and possessions of the unit's occupants. The construction of a storage building shall comply with the California Building Standards Code, and a permit to construct is required from the enforcement agency.
- (11) Storage Cabinet. An accessory structure, not exceeding ten (10) feet in height or one hundred twenty (120) square feet of gross floor area, located on a lot, designed and used solely for the use and storage of the personal equipment and possessions of the unit's occupants.



(12) Support. The entire pier and footing assembly, used to transfer the loads of a unit, accessory building or structure, or building component to the ground.

(13) Support System. A system of supports, which sustains the vertical loads of a unit, accessory building or structure, or building component. A support system does not include a foundation system.

**(t) -T-**

(1) Technical Service. The providing of interpretation and clarification by the enforcement agency of technical data and other information relating to the application of this chapter.

(2) Tensioning Device. A mechanical device that is part of a tiedown assembly. The tensioning device allows a person to eliminate any slack in the tiedown assembly and maintain the tension established when the slack is eliminated.

(3) Testing Agency. An organization which:

(A) Is in the business of testing equipment and installations;

(B) Is qualified and equipped for such experimental testing;

(C) Is not under the jurisdiction or control of any manufacturer or supplier for any affected industry;

(D) Maintains at least an annual inspection program of all equipment and installations currently listed or labeled;

(E) Makes available a published directory showing current listings of manufacturer's equipment and installations which have been investigated, certified and found safe for use in a specified manner and which are listed or labeled by the testing agency; and

(F) Is approved by the department.

(4) Tiedown Assembly. An assembly of component parts that has been tested and listed by agencies approved by the department as complying with the requirements of section 1336.1 of this chapter.

(5) Tiedown System. A tiedown system is used in conjunction with a support system and consists of the total number of tiedown assemblies required to provide a manufactured home or mobilehome with resistance to wind loads.

**(u) -U-**

(1) Unit. A manufactured home, mobilehome, multi-unit manufactured housing, or recreational vehicle.

**(v) -V-**

(1) Violation. A failure to conform to the requirements of this chapter, or any other applicable provision of law.

(2) Violation, Maintenance. A violation discovered during a maintenance inspection performed pursuant to section 18400.1 of the Health and Safety Code.

**(w) -W-**

(1) Water Connector. The flexible extension connecting the water distribution system of the unit or accessory building or structure to the park's lot water service outlet.

(2) Water Distribution System. All of the water supply piping within a park, extending from the main public supply or other source of supply to the park's lot water service outlets and including branch service lines, fittings, control valves, and appurtenances.

(3) Water Main, Park. That portion of the water distribution system which extends from the main, water meter, or other source of supply to the branch water service lines.

(4) Water Supply Connection. The fitting or point of connection of the unit's or accessory building or structure's water distribution system designed for connection to a water connector.

(5) Working Days. All days except Saturdays, Sundays, and applicable local, state and federal holidays.

(6) Workmanlike. Work performed to the acceptable quality of generally recognized industry standards that does not compromise strength, function, or durability.

(x) -X-  
Reserved

(y) -Y-  
Reserved

(z) -Z-  
Reserved

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18007, 18008, 18008.5, 18008.7, 18009.3, 18010, 18013.4, 18200, 18206, 18213, 18214.5, 18400.1, 18402, 18551, 18554, 18603, 18610, 18612, 18613, 18613.4, 18613.5, 18630, 18640, 18670, 18690, 18691, 18909 and 19960-19997, not consecutive, Health and Safety Code.

#### **§ 1004. Local Enforcement.**

(a) Assumption of responsibility for the enforcement of Parts 2.1 and 2.3 of Division 13, of the California Health and Safety Code and the provisions of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2, relating to enforcement within parks by a city, county, or city and county, shall be by means of an ordinance of the city council or board of supervisors which shall contain the following information and be subject to department approval:

(1) Indication of assumption of responsibility for enforcement of the Health and Safety Code, Parts 2.1 and 2.3 of Division 13, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

(2) Name of the agency or agencies delegated enforcement responsibilities.

(3) A statement that the designated local enforcement agency will provide qualified personnel necessary to enforce Parts 2.1 and 2.3, of Division 13 of the Health and Safety Code, and the provisions of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2 consistent with those laws and regulations. The statement shall include the total number of personnel assigned to the enforcement program.

(4) One copy of any contract, memorandum of understanding, or other document governing delegation of responsibilities and services to a local government agency other than the local government assuming responsibility for Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

(5) Adoption of the applicable schedule of fees contained in the provisions of Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

(A) A statement adopting the state program and objectives as contained in Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

(B) A description of existing parks within the local jurisdiction, including conditions and type of park.

(C) Specific local objectives, program plan and timetable designed to achieve enforcement compliance.

(6) Effective date of assumption of enforcement.

(b) One certified copy of the ordinance shall be forwarded to the Administrative Office of the Division of Codes and Standards, P.O. Box 1407, Sacramento, CA 95812-1407 not less than thirty (30) days before the designated effective date of assumption of enforcement.

(c) A statement that the following forms provided by the department will be used:

- (1) HCD 500A, Application for Permit to Operate;
- (2) HCD 503B, Annual Permit to Operate;
- (3) HCD 513B, Manufactured Home or Mobilehome Installation Acceptance;
- (4) HCD 513C, Certificate of Occupancy.

(d) The department shall determine the local agency's knowledge and ability to apply the requirements of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2, and the applicable Health and Safety Code requirements. The department's determination may include, but is not limited to, verification of the local agency's ability and knowledge through performance of activities that may include inspection, records review, and interviews of assigned personnel.

(e) Upon completion of the transfer, the new enforcing agency shall notify, in writing, the parks within its jurisdiction of the change in enforcement and the designated department or departments responsible for enforcement and permit issuance.

(f) Every enforcement agency shall comply with the verification of eligibility to receive public benefit requirements of Title 25, California Code of Regulations, Division 1, Chapter 5.5, commencing with section 5802, of applicants for permits to operate mobilehome parks or special occupancy parks.

(g) Notwithstanding the provisions of section 1005.5 of this article, in order to ensure that the orderly transition of assumption of enforcement occurs when a park, or permanent building within a park, is under construction, the enforcement agency issuing the permit to construct shall retain enforcement authority for the specified project through completion of those permits. All other enforcement responsibilities shall be transferred on the date as determined by the department.

(h) The local enforcement agency shall send a copy of each permit to operate it has renewed, within thirty (30) days after renewal to the department's Division of Codes and Standards, at the address designated by the department at the time of assumption.

(i) When a local enforcement agency proposes changes in the local division or personnel responsible for enforcing the provisions of this chapter, Chapter 2.2 and sections 18200 through 18874 of the Health and Safety Code, that agency shall notify the department at least thirty (30) days prior to the proposed date of the changes. The department may perform a reevaluation to determine whether the personnel have the required knowledge and ability as required in subsection (d) of this section.

(j) When a local enforcement agency changes its address, phone number, or contact person, it shall notify the Administrative Office of the department in writing within thirty (30) days of the change.

NOTE: Authority cited: Sections 18300, 18613, and 18865, Health and Safety Code. Reference: Title 8 U.S.C. Sections 1621, 1641 1642; and Sections 18207, 18300, 18505, 18506, 18613, and 18865, Health and Safety Code.

#### **§ 1004.5. Complaint investigations.**

(a) When a complaint alleging violations of this chapter, or sections 18200 through 18700 of the Health and Safety Code is referred to a local enforcement agency, the local enforcement agency shall do the following:

- (1) Make reasonable efforts to contact the complainant to discuss the complaint. If the issue addressed within the complaint exceeds the authority or jurisdiction of the enforcement agency, the complainant shall be so advised, and shall be directed, when possible, to the appropriate governing entity.
- (2) Investigate allegations of violations representing an immediate risk to life, health, or safety within five (5) days of receipt of the complaint by the agency.

(3) Investigate allegations of violations representing an unreasonable risk to health or safety within thirty (30) days of receipt by the agency.

(4) Discuss the results of the investigation with the complainant, or provide the results in writing, if requested by the complainant.

(b) When a complaint is referred to a local enforcement agency from the Office of the Mobilehome Ombudsman (Office) the local enforcement agency shall, no later than thirty-five (35) days following its receipt of the complaint, submit a written report detailing the final results of the investigation to the Office, or its designee.

(c) When an inspection as a result of a health and safety complaint results in a written order to correct for a violation of this chapter and a reinspection reveals that the cited person failed to correct the violation, the enforcement agency shall be compensated by the person responsible for correction of violation for any subsequent reinspection to verify correction of the violation at the following hourly rate.

(1) First hour: one hundred ninety-six dollars (\$196).

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty (30) minutes or fractional part thereof: forty-one dollars (\$41).

NOTE: Authority cited: Sections 18153 and 18300, Health and Safety Code. Reference: Sections 18153, 18300, 18400, 18400.3 and 18407, Health and Safety Code.

#### **§ 1005. Local Government's Cancellation of Enforcement Responsibility.**

(a) An enforcement agency intending to relinquish responsibility for enforcement authority shall advise the department, no less than thirty (30) days prior to initiating the requirements of subsection (b).

(b) A governing body canceling its enforcement responsibility shall complete the following to the department's satisfaction before the transfer is effective:

(1) provide written notification to the department not less than thirty (30) days prior to the proposed effective date of the action, along with a copy of the adopted ordinance repealing enforcement responsibility;

(2) remit the appropriate fees to the department as identified in section 1006 of this article on or before the date of transfer of responsibility; and

(3) transfer all park records to the department on or before the effective date of the transfer of enforcement responsibility.

(c) When the local agency cancels its enforcement responsibility for this chapter, its responsibility for enforcement of chapter 2.2 of this division is also cancelled.

(d) When a local enforcement agency has canceled its assumption of responsibility for enforcement and desires to reassume enforcement, it must reapply in compliance with the requirements contained in section 1004 of this article.

NOTE: Authority cited: Sections 18300 and 18865, Health and Safety Code. Reference: Sections 18207, 18300 and 18865, Health and Safety Code.

#### **§ 1005.5. Revocation of Local Enforcement Authority.**

(a) When the department determines that a local enforcement agency has failed to properly enforce Parts 2.1 or 2.3, of division 13, of the Health and Safety Code, or Title 25, California Code of Regulations, division 1, chapters 2 or 2.2, the department shall notify the governing body of the local enforcement agency by providing written documentation which identifies the deficiencies requiring correction.

(b) The local enforcement agency shall have thirty (30) days from the date it receives the department's written determination to initiate correction of the deficiencies. Initiation of correction shall mean:

(1) Completion of a written plan of action submitted to the department identifying the corrective action for each deficiency including at least the following:

- (A) Acknowledgement of the deficiencies.
- (B) The action to be taken to correct each deficiency.
- (C) The personnel involved in the correction.
- (D) Timelines for completion of all corrections.
- (E) Ongoing oversight to prevent reoccurrences of noted deficiencies.

(2) Implementation of the plan of action by the local enforcement agency and other actions required by the department prior to completion of the plan of action.

(c) The department shall, within thirty (30) days of receipt of the plan of action, review and provide a written response to the governing body regarding the proposed plan.

(d) If the local enforcement agency fails to prepare an adequate plan of action or implement corrective measures within thirty (30) days regarding the deficiencies specified in subsection (a), the department may revoke its approval of local assumption responsibility and resume enforcement responsibilities.

(e) Within thirty (30) days following the department's revocation of assumption approval, remit the appropriate fees as defined in section 1006 of this article and transfer all park records to the department.

(f) When a local enforcement agency has had its assumption of responsibility for enforcement revoked and desires to reassume enforcement, it must reapply following the requirements contained in section 1004 of this article.

NOTE: Authority cited: Sections 18300 and 18865, Health and Safety Code. Reference: Sections 18300 and 18865, Health and Safety Code.

#### **§ 1006. Transfer of Authority- Disbursal of Fees.**

(a) When a city, county, or city and county assumes responsibility for the enforcement of parts 2.1 and 2.3, of division 13 of the Health and Safety Code, and Title 25, California Code of Regulations, division 1, chapters 2 and 2.2, cancels its assumption of such responsibility, or has assumption approval cancelled by the department during the permit renewal year, that portion of the fees collected for the annual permits to operate, other than state fees pursuant to section 1008 of this article, shall be apportioned as follows:

(1) When assumption of enforcement responsibility occurs more than six (6) months preceding the next permit to operate renewal date, the former enforcement agency shall retain one-half of each annual permit to operate fee collected and shall transfer the remaining half to the assuming enforcement agency.

(2) When assumption of enforcement responsibility occurs less than or exactly six (6) months preceding the next permit to operate expiration date, the former enforcement agency shall then retain the full amount collected.

(b) The additional four dollar (\$4) per lot fee collected for park maintenance inspections shall be remitted as set forth in Health and Safety Code section 18400.1.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18300, 18400.1 and 18502, Health and Safety Code.

#### **§ 1006.5. Permit To Operate Required.**

No person shall operate a park, or a portion of a park, or rent, lease, sublease, hire out, or let out for occupancy, any new or existing lot in a park without a current permit to operate issued by the enforcement agency.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18500 and 18505, Health and Safety Code.

**§ 1007. Applicant Documentation.**

When applying for a permit to operate a park, or for the renewal or amendment of any such permit, if the applicant has not previously been determined to be eligible to receive public benefits, the applicant shall present to the enforcement agency such documentation as the department may require to demonstrate the applicant's eligibility to receive public benefits pursuant to Title 25, California Code of Regulations, division 1, chapter 5.5, beginning with section 5802.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Title 8, U.S.C. Sections 1621, 1641, and 1642; and Section 18300, Health and Safety Code.

**§ 1008. Annual Permit to Operate Fees.**

(a) Permit to operate fees shall be as follows:

- (1) An annual permit to operate fee of twenty-five dollars (\$25); and
- (2) An additional two dollars (\$2) per lot, or per campsite; and
- (3) An additional four dollars (\$4) dedicated to park maintenance inspections, per manufactured home or mobilehome lot; and
- (4) A state fee as contained in Table 1008-1.

Number of Lots	State Fee
2-19	\$40
20-49	\$75
50-99	\$175
100-249	\$400
250-499	\$800
500 or more	\$1,600

(b) The state fee is required to be paid annually.

NOTE: Authority cited: Sections 18300 and 18502.5, Health and Safety Code. Reference: Sections 18502 and 18502.5, Health and Safety Code.

**§ 1009. Permit to Operate-Penalty Fees.**

(a) Permits to operate shall have the following penalty fees applied as applicable:

- (1) When an application is submitted thirty (30) days after the due date, the permit to operate fees shall be increased an amount equal to ten (10) percent of the established fee.
- (2) When an application is submitted sixty (60) or more days late, the permit to operate fees shall be increased an amount equal to one hundred (100) percent of the established fee.
- (3) Any park commencing operation without a valid permit to operate shall pay double the established fees and those fees shall be due upon demand of the enforcement agency.

(b) The postmark shall be used to determine the submittal date for imposing annual permit to operate penalty fees prescribed by Health and Safety Code section 18506.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18504 and 18506, Health and Safety Code.

**§ 1010. Permit to Operate-Construction Completed.**

(a) Upon final approval by the enforcement agency of the construction of lots and facilities, the applicant shall submit an application for a permit to operate, or amended permit to operate, on a form designated by the department in section 1002 of this article, together with appropriate fees as specified in sections 1008 and 1009 of this article, to the enforcement agency. The designated form shall be submitted as follows:

(1) When the department is the enforcement agency, the applicant shall submit the application for permit to operate to the department. Upon approval of the application by the department, an annual permit to operate shall be issued to the applicant.

(2) When a local enforcement agency has enforcement responsibilities, the applicant shall submit the application to that agency. Upon approval of the application by the local enforcement agency, that agency shall provide one copy of the approved application to the applicant and, within five (5) working days after approval, one copy, along with the state fees required by section 1008 of this article, to the Division of Codes and Standards, P.O. Box 1407, Sacramento, CA 95812-1407. The Division of Codes and Standards shall issue the initial permit to operate within ten (10) working days of receipt of the approved application. The department shall provide copies of the permit to operate to the applicant and the local enforcement agency. Subsequent years' annual permits to operate shall be issued by the enforcement agency.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18502 and 18505, Health and Safety Code.

**§ 1012. Department Copies of the Annual Permit to Operate and Related Fees.**

(a) Local enforcement agencies shall send a copy of each issued annual permit to operate to the Division of Codes and Standards within thirty (30) days following its issuance.

(b) All local enforcement agencies shall forward to the Division of Codes and Standards, the state fees paid by the applicant pursuant to section 1008 of this article within thirty (30) days of receipt.

(c) The department shall provide a supply of the annual permit to operate forms and application for permit to operate forms to any local enforcement agency making a request for the forms.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18502, 18502.5, 18505, and 18506, Health and Safety Code.

**§ 1014. Required Reporting of Changes in Park Status.**

(a) An operator of a park shall submit to the enforcement agency, an application for an amended annual permit to operate within thirty (30) days of any change in the information related to the annual permit to operate. Changes in information shall include, but not be limited to:

(1) change of name, mailing address, or ownership; or

(2) change in the number of lots resulting from the sale, lease, removal, construction or alteration of existing lots or facilities; or

(3) change of conditional uses specified on the annual permit to operate; or

(4) when a snow load roof maintenance program status is changed pursuant to section 1338 of article 7.

(b) A fee of ten dollars (\$10) shall be submitted to the enforcement agency with each application to amend the annual permit to operate. Only one fee of ten dollars (\$10) shall be required for an amended annual permit to operate, if more than one change can be processed on a single application.

(c) An amended permit to operate shall be issued by the department for additional lots constructed to an existing park. The local enforcement agency shall process the application as specified in section 1010 of this chapter for permit issuance for new construction.

(d) Notwithstanding subsection (c), when an amended permit to operate is issued by a local enforcement agency, a copy shall be forwarded to the department within thirty (30) days, clearly marked as "Amended" on the face of the copy.

NOTE: Authority cited: Section 18300 and 18502.5, Health and Safety Code. Reference: Sections 18502, 18502.5, 18505, and 18507, Health and Safety Code.

#### **§ 1016. Approval of Alternates and Equivalents.**

(a) When the department is the enforcement agency, a request for approval of an alternate or equivalent means of meeting the requirements of this chapter shall be submitted by the applicant to the department's Northern or Southern area office.

(b) When a city, county, or city and county has assumed enforcement responsibility for this chapter, the applicant shall submit the request for this approval to the local enforcement agency. The local enforcement agency shall forward the request to the department's Administrative Office of the Division of Codes and Standards, along with their written recommendation and rationale for approval or denial.

(c) The request for an alternate approval shall be submitted on forms, as defined in Section 1002 of this chapter, provided by the department. The form shall be accompanied by one (1) set of substantiating plans and/or information together with the alternate approval fee of two hundred three dollars (\$203), payable to the department.

(d) When a request for an alternate approval is for the park, or significantly affects property owned or operated by the park, including, but not limited to, grading, utilities and setbacks, only the park owner or operator may apply for the alternate approval.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18305 and 18502.5, Health and Safety Code.

#### **§ 1017. Technical Service fee.**

(a) Fees for technical services provided by the enforcement agency shall be:

(1) One hundred ninety-six dollars (\$196) providing the technical service does not exceed one hour.

When the related technical service exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41).

NOTE: Authority cited: Sections 18300, and 18502.5, Health and Safety Code. Reference: Sections 18502.5, and 18503, Health and Safety Code.

#### **§ 1018. Permits Required.**

(a) No person shall erect, construct, reconstruct, install, replace, relocate or alter any building, structure, accessory building or structure, or building component; any electrical, mechanical, or plumbing equipment; any fuel gas equipment and installations, or fire protection equipment; or installations of, or within, a park, or a lot, or perform any non-load bearing grading or area fill with a depth of one (1) foot or greater, unless exempted from obtaining a grading permit pursuant to Appendix 33 of the California Building Code, without first obtaining a written construction permit from the enforcement agency.

(b) No person shall create or change a lot line within a park without first obtaining a permit from the enforcement agency pursuant to the requirements of section 1105 of this chapter.



(c) Any person issued a notice indicating violations pursuant to this section shall obtain the required permit from the enforcement agency and provide the appropriate fees as prescribed in this article.

(d) The enforcement agency shall not require a permit to construct for the following work, when the construction is performed in a workmanlike manner, does not present a hazard, and otherwise complies with the requirements of this chapter:

- (1) Minor maintenance and repair including the replacement of existing utility metering devices.
- (2) Previously installed portable air conditioning equipment reinstalled with the unit installation.
- (3) The installation of a storage cabinet on a lot.
- (4) Construction or installation of a stairway having a landing not to exceed twelve (12) square feet.
- (5) A landing not more than twelve (12) square feet in area.
- (6) Construction or installation of a window or door awning.
- (7) Construction or installation of removable insect screening, flexible plastic or canvas type material used as an awning or as an awning or carport enclosures.
- (8) Construction or installation of a retaining wall less than four (4) feet in height measured from the bottom of the footing to the top of the wall, unless it is supporting a surcharge. For the purpose of this section, a surcharge is any additional soil or load placed on the existing soil retained by the wall.
- (9) Construction or installation of a patio, as defined in section 1002(p)(3).
- (10) Fences not over six (6) feet high.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18500, 18507, 18551, 18610, 18610.5, and 18613, Health and Safety Code.

#### **§ 1019. Installation of Factory-Built Housing in Parks.**

(a) Factory-built housing, meeting the requirements of Division 13, Part 6 of the California Health and Safety Code, may be installed on a lot in a park only if all of the following conditions apply;

- (1) the park was constructed on or after January 1, 1982,
- (2) the park is granted a zone designation or a conditional use permit authorizing this type of permanent occupancy,
- (3) it is installed on a foundation system,
- (4) it does not exceed two (2) stories in height, and
- (5) it is located on a specific designated lot in the park defined in the park's rules or regulations.

(b) The local jurisdiction where the park is located shall be the enforcing agency for the inspection of the installation of factory-built housing in a park. The provisions of section 19993 of the Health and Safety Code regarding zoning, snow loads, wind pressure, fire zones, setbacks, yard and development requirements, property line requirements, and architectural and aesthetic requirements for factory-built housing in parks are specifically and entirely reserved to local jurisdictions and shall apply to factory-built housing installed in parks.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18611, 19971, 19992, and 19993, Health and Safety Code.

**§ 1020. Application Requirements for Permits for Installations and Foundation Systems for MH-units.**

(a) A person required to obtain a permit to install an MH-unit pursuant to section 18613 or 18551 of the Health and Safety Code, shall submit an application for the permit to the enforcement agency on a form prescribed by that agency.

(1) The application shall be accompanied by fees as specified in section 1020.1 of this article.

(2) When an MH-unit is initially installed or reinstalled on a different lot pursuant to Health and Safety Code section 18613, either a tiedown system or an engineered tiedown system must also be installed.

(3) When concrete piers or steel piers are used as the support system for an MH-unit, the installation of the MH-unit must include mechanical connection of each pier both to the MH-unit and to its footing that complies with section 1336.4 of this chapter.

(4) The applicant for a permit to install an MH-unit shall provide, with the application, a complete set of plans and specifications to include the following:

(A) A set of the manufacturer's installation instructions stamped to indicate approval by the manufacturer's design approval agency.

(B) Three copies of a plot plan of the lot on which the MH-unit is proposed to be installed. The plot plan shall indicate the planned location of the MH-unit, the locations of electrical, gas, water and sewer connections on the lot and all required dimensions and setbacks from the lot lines and from any buildings or accessory structures on the lot and adjacent lot. At least one (1) copy of the plot plan shall bear the original signature of the park owner or his or her designated representative.

(C) If the MH-unit manufacturer's installation instructions do not provide for a tiedown system, the applicant shall provide either installation instructions for listed tiedown assemblies that will be installed as a tiedown system in accordance with section 1336.2 of this chapter, or a set of engineered plans and specifications for an engineered tiedown system.

(D) The appropriate application shall be accompanied by fees as specified in subsection 1020.1 of this article.

(b) Foundation Systems. When a foundation system is to be installed for an MH-unit, a separate permit to construct the foundation system shall be obtained from the enforcement agency.

(1) The appropriate application shall be accompanied by fees as specified in subsection 1020.1 of this article.

(2) A person submitting an application for a permit to construct a foundation system shall submit three complete sets of plans and specifications in compliance with section 1034 of this chapter.

(c) Installation of multi-unit manufactured housing in a park requires approval as required in subsection 1020.6 (d), along with submission of a permit application. Evidence of this approval must accompany the permit application.

(d) When the application for a permit to construct does not comply with this chapter, the enforcement agency shall notify the applicant in what respects the application does not comply within ten (10) working days of the date they are received by the enforcement agency. When the applicant resubmits the application, an additional application filing fee may be required.

NOTE: Authority cited: Sections 18300, 18502.5, 18503, 18551, 18552, 18613, and 18613.4, Health and Safety Code.  
Reference: Sections 18008.7, 18500, 18501, 18503, 18551, 18551.1, 18611, and 18613 Health and Safety Code.

**§ 1020.1. Fees for MH-unit Installation and Standard Plan Approval Foundation System Permits.**

(a) The following fees shall apply:

(1) Installation of an MH-unit, or multi-unit manufactured housing containing not more than two (2) dwelling units, or support system alteration permit fee. One hundred ninety-six dollars (\$196) provided

the related inspection does not exceed one hour. When the related inspection exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each 30 minutes, or fractional part thereof: forty-one dollars (\$41).

(2) Foundation system permit fee: refer to valuation tables in Section 1020.7 of this article.

(A) Plan check fees shall not be required for a foundation system for which a standard plan approval has been obtained from the department.

(3) Reinspection Fee: One hundred seventy-eight dollars (\$178) provided the related reinspection does not exceed one hour. When the related reinspection exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty minutes (30), or fractional part thereof: forty-one dollars (\$41).

NOTE: Authority cited: Sections 18300, 18502.5, 18551 and 18613, Health and Safety Code. Reference: Sections 18500, 18501, 18502, 18503, 18551 and 18613, Health and Safety Code.

### **§ 1020.3 Application Requirements for Permits for Accessory Buildings and Structures and Building Components.**

(a) A person required to obtain a permit to install an accessory building or structure or building component, shall submit an application for the permit to construct to the enforcement agency, on a form prescribed by that agency.

(b) The application for the permit to construct shall be accompanied by fees as specified in section 1020.7 of this article, or section 1020.4 when using plans with a standard plan approval.

(c) A person submitting an application for a permit to construct an accessory building or structure or install a building component shall, in addition to the requirements of section 1034 of this chapter, submit three (3) copies of a plot plan for the lot where the accessory building or structure or building component is to be constructed. The plot plan shall be on the form prescribed by the department, indicating the planned location of the accessory building or structure or building component on the lot and indicate dimensions of and setbacks from the lot lines and other units or structures on adjacent lots. At least one (1) copy of the plot plan shall bear the original signature of the park owner or his or her designated representative.

(d) When any person files applications simultaneously to construct or install two (2) or more accessory buildings or structures or building components which are identical, and are within the same park, only one (1) plan check fee shall be required.

(e) If an application for a permit to construct is not complete or does not conform to the requirements of this chapter, the enforcement agency shall notify the applicant in writing within ten (10) working days of receipt of the application, as to the why the application does not comply.

(f) A single permit may be issued for all accessory buildings or structures or building components to be erected or installed concurrently on the same lot including electrical, mechanical, and plumbing installations in for each accessory building or structure or building component. If the applicant requests individual permits, they may be obtained for structural, electrical, mechanical, and plumbing installations, and are subject to separate individual fees.

NOTE: Authority cited: Sections 18300, Health and Safety Code. Reference: Sections 18300, 18500, 18502.5, and 18552, Health and Safety Code.

### **§ 1020.4. Fees for Accessory Buildings or Structures, and Building Component Permits with a Standard Plan Approval.**

(a) The following permit fees shall apply for accessory buildings and structures, and building components that have a standard plan approval:

(1) Inspection fee: One hundred ninety-six dollars (\$196) provided the related inspection does not exceed one hour. When the related inspection exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty minutes (30), or fractional part thereof: forty-one dollars (\$41).

(2) Reinspection fee: One hundred seventy-eight dollars (\$178) provided the related reinspection does not exceed one hour. When the related reinspection exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty minutes (30), or fractional part thereof: forty-one dollars (\$41).

(b) Fees for accessory buildings and structures, and building components that do not have the department's standard plan approval issued in accordance with Section 1020.9 of this article, shall be determined using the valuation table contained in Section 1020.7 of this article.

(c) Electrical, mechanical, and plumbing permit fees for installations in accessory buildings or structures or building components shall not exceed those contained in this chapter.

(d) Plan check fees shall not be required for accessory buildings or structures for which a standard plan approval has been obtained from the department.

NOTE: Authority cited: Sections 18300, 18502.5, and 18552, Health and Safety Code. Reference: Sections 18300, 18500, 18502, 18502.5, 18503 and 18552, Health and Safety Code.

#### **§ 1020.6 Application Requirements for Permits for Park Construction or Alteration.**

(a) This section applies to any person submitting an application pursuant to section 1018, for a permit to construct or alter any of the following:

(1) A park;

(2) An addition to a park;

(3) An alteration to a park;

(4) A permanent building in a park;

(5) An accessory building or structure without a standard plan approval.

(b) A person who is required to obtain a permit to construct, pursuant to section 18500 of the Health and Safety Code, shall submit an application for a permit to construct to the enforcement agency, with the appropriate fees as specified in section 1020.7 of this article, on the form prescribed by that agency.

(c) A person submitting an application pursuant to this section, shall submit three (3) complete sets of plans and specifications or installation instructions, in compliance with section 1034 of this chapter.

(d) Applications for permits to construct or enlarge a park, or install a multi-unit manufactured housing, shall be submitted with written evidence of compliance with the California Environmental Quality Act (Public Resources Code Division 13, commencing with section 21000) and written evidence of approvals by all of the following:

(1) the local planning agency;

(2) the local health, fire, and public works departments;

(3) the local department responsible for flood control;

(4) the serving utilities; and

(5) any other state or federal agency or special district that has jurisdiction and would be impacted by the proposed construction.

NOTE: Authority cited: Sections 18300, 18502.5, and 18503, Health and Safety Code. Reference: Sections 18500, 18501, 18502, 18502.5, 18503, and 18610 Health and Safety Code and Section 21000, Public Resources Code.

**§ 1020.7. Permit Fees for Park Construction or Alteration.**

(a) Any person submitting an application for a permit to construct with plans not having a department standard plan approval, shall pay the following fees, as applicable:

(1) Permit Fee. For the purpose of determining fees, the enforcement agency may establish the permit fee in accordance with subsection (f) or (g) of this section as appropriate. However, the minimum permit fee shall be one hundred ninety-six dollars (\$196) provided the initial related inspection associated with this permit does not exceed one hour. When the related inspection exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41).

(2) Plan Check Fee. One-half (1/2) of the combined total of construction, mechanical, plumbing, and electrical permit fees. However, the minimum fee shall be ten dollars (\$10).

(b) Reinspection Fee. One hundred seventy-eight dollars (\$178) provided the related inspection does not exceed one hour. When the related reinspection exceeds one hour, the following fees shall apply:

(1) Second and subsequent whole hours: eighty-two dollars (\$82).

(2) Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41).

(c) When any person files applications simultaneously to construct two (2) or more permanent buildings, or accessory buildings or structures which are identical and are within the same park, only one plan check fee shall be required.

(d) Electrical, mechanical, and plumbing permit fees shall not exceed those contained in this chapter.

(e) When plans and specifications fail to comply with the requirements of this chapter, the enforcement agency shall notify the applicant in writing, stating in what respects the plans do not comply. The applicant shall correct the plans and/or specifications and resubmit them to the enforcement agency. The following fees are required for each resubmission of plans or specifications subsequent to the initial plan check:

(1) Plan Check Fee: Two hundred three dollars (\$203) provided the related plan check does not exceed one hour. When the related plan check exceeds one hour, the following shall apply:

(A) Second and subsequent whole hours: ninety-two dollars (\$92).

(B) Each thirty (30) minutes, or fractional part thereof: forty-six dollars (\$46).

(f) Fees for construction or alteration of facilities and installations on lots and within parks shall be the sum of the following categories comprising the proposed work subject to the minimum amounts specified in subsection (a)(1):

(1) For each lot .....	
.....\$5.75	
(2) Electrical Permit Fees.	
Each park electrical service .....	14.00
Each unit substation or secondary distribution transformer.....	10.50
Each alteration or replacement of a service or a transformer.....	10.50
Each park lot electrical service equipment.....	7.00
Each alteration, repair, or replacement of a park lot electrical service equipment.....	7.00

Each street light including circuit conductors and control equipment.....	3.00
<b>(3) Plumbing Permit Fees.</b>	
Each park sewage drainage system.....	14.00
Each private sewage disposal system or park water treatment installation.....	14.00
Each lot drain inlet.....	7.00
Each alteration or repair of drainage or vent piping.....	7.00
Each park water distribution system.....	7.00
Each park lot water service outlet or outlets at the same location.....	4.25
Each fire hydrant or riser.....	4.25
Each individual lot water conditioning installation.....	4.25
Each alteration, repair or replacement of water fixtures or equipment.....	4.25
<b>(4) Gas Piping Permit Fees.</b>	
Each park gas piping system.....	7.00
Each installation of a liquefied petroleum or natural gas tank of 60 gallon capacity or more.....	7.00
Each gas riser outlet.....	4.25
Each alteration, repair, or replacement of park's gas piping system.....	4.25
<b>(5) Each installation of equipment regulated by this for which no other fee is listed.....</b>	<b>7.00</b>

(g) Permit fees for a permit to construct accessory buildings or structures without a standard plan approval from the department, and foundation systems, permanent buildings, and/or electrical, mechanical, and plumbing installations within or on permanent buildings, or accessory buildings or structures shall be the sum of the following categories comprising the proposed work subject to the minimum amounts specified in subsection (a)(1):

**(1) Table A. Construction Permit Fees.**

<i>Total Valuation</i>	<i>Fee</i>
\$2,000 or less.....	\$45.00
\$2,001 to \$25,000.....	\$45.00 for the first \$2,000 plus \$9.00 for each additional thousand or fraction thereof, to and including \$25,000.
\$25,001 to \$50,000.....	\$252.00 for the first \$25,000 plus \$6.50 for each additional thousand or fraction thereof, to and including \$50,000.
\$50,001 to \$100,000.....	\$414.50 for the first \$50,000 plus \$4.50 for each additional thousand or fraction thereof, to and including \$100,000.
\$100,001 to \$500,000.....	\$639.50 for the first \$100,000 plus \$3.50 for each additional thousand or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000.....	\$2,039.50 for the first \$500,000 plus \$3.00 for each additional thousand or fraction thereof, to and including \$1,000,000.
\$1,000,001 and up.....	\$3,539.50 for the first \$1,000,000 plus \$2.00 for each additional thousand or fraction thereof.

**(2) Table B. Mechanical and Plumbing Permit Fees.**

Each plumbing fixture, trap, set of fixtures on one trap, including water, drainage piping and backflow protection therefore.....	\$3.00
Each building sewer.....	14.00
Each private sewage disposal system.....	14.00
Each water heater and/or vent.....	7.00
Each gas piping system for one to five outlets.....	7.00
Each gas piping system for six or more outlets, per outlet.....	1.50
Each gas regulator.....	1.50
Each water branch service outlet or outlets at the same location,	

or each fixture supply.....	1.00
Each installation of water treating equipment.....	7.00
Alteration or repair of water piping or water treating equipment.....	7.00
Alteration or repair of drainage or vent piping.....	7.00
Each lawn sprinkler system on any one meter, including backflow protection devices.....	7.00
Vacuum breakers or backflow protective devices on tanks, vats, etc., or for installation on unprotected plumbing fixtures: one to five.....	3.00
over five, each additional.....	1.00
The installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu.....	14.00
The installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu.....	21.00
The installation or relocation of each floor furnace, including vent.....	7.00
The installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater.....	7.00
The installation, relocation or replacement of each appliance vent installed and not included in an appliance permit.....	7.00
The repair of, alteration of, or addition to each heating appliance, refrigeration unit, comfort cooling unit, absorption unit, or each comfort heating, cooling, absorption, or evaporative cooling system, including installation of controls.....	14.00
The installation or relocation of each boiler or compressor to and including three horsepower or each absorption system to and including 100,000 Btu.....	14.00
The installation or relocation of each boiler or compressor over three horsepower or each absorption system over 100,000 Btu.....	21.00
Each air handling unit, including ducts attached thereto.....	7.00

NOTE: This fee shall not apply to an air handling unit which is a portion of a factory-assembled appliance, comfort cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in this chapter.

For each evaporative cooler other than portable type.....	7.00
For each vent fan connected to a single duct.....	3.00
For each vent ventilation system which is not a portion of any heating or air conditioning system authorized by a permit.....	7.00
Each installation of equipment regulated by this chapter for which no other fee is listed.....	7.00

(3) Table C. Electrical Permit Fees.

Each wiring outlet where current is used or controlled, except services, sub-feeders and meter outlets.....	.35
Each fixture, socket or other lamp holding device.....	.35
Each motor of not more than 50 h.p. ....	4.25
Each motor of more than 50 h.p. ....	10.50
Each mercury arc lamp and equipment.....	1.00
Each range, water heater or clothes dryer installation.....	7.00

Each space heater or infrared heat installation.....	1.50
Each stationary cooking unit, oven, or space heater.....	1.50
Each garbage disposer, dishwasher, or fixed motor-operated appliance not exceeding 1/2 h.p. ....	1.50
Working light in buildings in course of construction or undergoing repairs, or where temporary lighting is to be used.....	3.00
Each incandescent electric sign.....	1.50
Electric signs or outline lighting, luminous gas type with: 1 to 4 transformers.....	3.00
Additional transformers, each.....	.35
Each rectifier and synchronous converter, per K.W. ....	.35
Each additional circuit for a mobilehome accessory building or structure or other electrical equipment.....	1.50
Each service:	
600 volts or less, not over 200-amperes.....	7.00
600 volts or less, over 200-amperes.....	10.00
Over 600 volts.....	14.00
Each installation of equipment regulated by this chapter for which no other fee is listed.....	7.00

NOTE: Authority cited: Sections 18300, 18502.5, and 18552, Health and Safety Code. Reference: Sections 18502, 18502.5, and 18503, Health and Safety Code.

**§ 1020.9. Application and Fee Requirements for Accessory Building, Foundations System, or Engineered Tiedown System Standard Plan Approvals.**

(a) A standard plan approval is available from the department for a plan for an accessory building or structure constructed and installed pursuant to this article and Article 9 of this chapter, for a foundation system installed pursuant to section 18551 of the Health and Safety Code, and Section 1333(d) of this chapter, and for an engineered tiedown system designed pursuant to Section 1336.3 of this chapter.

(b) In order to obtain a standard plan approval, the applicant shall submit to the department the following items:

- (1) A completed application for standard plan approval on the form, as defined in Section 1002 of this chapter, designated by the department
- (2) Three (3) copies of the plans, specifications, and/or installation instructions, and two (2) copies of the design calculations, when required, to substantiate the design. Specifications shall be shown on the plan. Design calculations shall be submitted separately from the plan sheet.
- (3) An application fee of two hundred three dollars (\$203) for each plan.
- (4) Plan check fee for initial, resubmission, or renewal. Two hundred three dollars (\$203) providing the related plan check does not exceed one hour. Where the related plan check exceeds one hour, the following fees shall apply:
  - (A) Second and subsequent whole hours: ninety-two dollars (\$92).
  - (B) Each thirty (30) minutes, or fractional part thereof: forty-six dollars (\$46).
- (5) Additional plan check fees shall be due and payable prior to the issuance of a plan approval or a revised plan approval, if more than one (1) hour is required to conduct the plan check.
- (6) When plans and specifications fail to comply with the requirements of this chapter, the enforcement agency shall notify the applicant in writing, stating in what respects the plans do not comply. The applicant shall correct the plans and/or specifications and resubmit them to the enforcement agency or withdraw them from consideration, forfeiting all submitted fees.



(7) An Identification Label of Approval shall be provided for each accessory building or structure to be manufactured under the standard plan approval and each accessory building or structure shall have an approved identification label of approval attached in a visible location.

(8) The actual identification label shall be submitted to the department for approval with the application for a standard plan approval prior to issuance of the approval. The approved identification label of approval shall:

- (A) be not less in size than 3 inches by one and one-half (1½) inches ;
- (B) contain the following information as applicable;

<p style="text-align: center;"><b>ACCESSORY BUILDING OR STRUCTURE</b></p> <p>1. Name of Manufacturer</p> <p>2. Standard Plan Approval No. _____</p> <p>3. Designed for:</p> <p>____ lbs. per square foot roof live load</p> <p>____ lbs. per square foot horizontal wind load</p> <p>____ lbs. per square foot snow load</p> <p>____ lbs. per square foot floor live load</p> <p>____ lbs. per square foot wind uplift load</p> <p>4. Structure (may) (may not) be enclosed.</p> <p style="text-align: center;">Department of Housing and Community Development</p>
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(C) be provided by the manufacturer and be permanently imprinted with the information required by this section;

(9) The identification label of approval shall be either Type I, II, or III as specified in this section, each capable of a ten-year life expectancy when exposed to ordinary outdoor environments. Letters and numbers shall be bold Gothic or similar style, varied for emphasis, as large as space permits, with the minimum size being 5/64 inches. Wording shall be easily read and concise. Where permanent type adhesives are used on Type I, II, or III plates, adhesives shall have a minimum thickness of .004 inches, and the plates shall be affixed to a relatively smooth surface.

(A) Type I. Rigid metal plates affixed by screws, rivets, or permanent type adhesives.

Minimum size: One and one-half (1 1/2) inches by three (3) inches by .020 inches thick net dimensions (inside fastener heads).

Material: Aluminum, brass or stainless steel etched, stamped, engraved, or embossed to 0.015 inches minimum depth differential, color anodized or enamel filled.

(B) Type II. Flexible metal plates affixed by permanent adhesives, either pressure sensitive acrylics or solvent activated resins.

Minimum Size: .005 inches by one and one-half (1 1/2) inches by three (3) inches.

Material: Aluminum foil etched or stamped to .001 minimum depth differential with color anodized background.

(C) Type III. Metallized Mylar (polyester), surface bonded.

Minimum Size: .003 inches by one and one-half (1 1/2) inches by three (3) inches.

Material: Aluminum/vinyl surface bonded (to be used for nameplates where variable information is required by embossing, which can be done with a conventional typewriter). Minimum Size: .006 inches by one and one-half (1 1/2) inches by three (3) inches.

(c) Plans submitted to the department shall be on sheets of paper no smaller than eight and one-half (8 1/2) inches by eleven (11) inches, and no larger than thirty (30) inches by forty-two (42) inches.

(1) Plans shall indicate the details of connections, dimensions, footings, foundations, general notes and method of installation, necessary for the design and construction of the system.

(2) A plan shall indicate only one model or type of system.

(3) Each plan sheet shall provide a space not less than three (3) inches by three (3) inches for the department's standard plan approval stamp and number.

(4) When the design of the system requires an engineering analysis of structural parts and methods of construction, such as required for an engineered tiedown system or engineered accessory building or structure, the plans, specifications, and calculations shall be signed by an architect or engineer.

(5) Each plan shall be identified by a model number.

(d) If an application or plans are incomplete or do not conform to this chapter, the applicant shall be notified in writing within ten (10) working days of the date they are received by the department. The applicant shall resubmit a corrected application or plans within ninety (90) days of the notice, or within ninety (90) days of any subsequent notification relating to a resubmittal, along with the fees required by Section 1020.9 of this section.

(e) Should the applicant cancel the application for the standard plan approval prior to obtaining department approval, all fees submitted will be retained by the department for services rendered.

(f) A standard plan approval shall expire twenty-four (24) months from the date of the department's approval as designated on the department's stamp of approval placed on the plans.

(g) A standard plan approval may be renewed on or before the expiration date by submitting an application, together with three (3) copies of the plan as required by subsections (b)(1) and (2), and a renewal fee of two hundred three dollars (\$203).

(1) Renewal of a standard plan approval is permitted only when the plan submitted is identical to the plan on file with the department.

(2) Each plan submitted for renewal shall provide a space not less than three (3) inches by three (3) inches for the department's standard plan approval stamp and number.

(3) When a standard plan approval is renewed, the department-issued number shall remain the same.

(h) An application for approval of revisions to a standard plan approval, which does not change the structural system or method of the system's construction, and is submitted prior to the approval's expiration date, shall be submitted with the following documentation:

(1) three (3) copies of the revised plan and specifications;

(2) two (2) copies of the revised design calculations, as required by subsection (b)(2); and

(3) the plan check fee, for the first hour, for each plan.

(i) An applicant with a revised standard plan approval shall submit the following to the department:

(1) an application for a standard plan approval as specified in subsection (b)(1) above;

(2) copies as specified in subsections (h)(1) and (2) above; and

(3) a resubmission fee, as specified in Section 1020.9 above, for each plan.

(j) A revised plan submitted pursuant to Section 1020.9 above, shall be processed as provided by subsection (h) or subsection (i), depending upon whether or not the changes to the plan are substantive. A plan submitted after the final expiration shall be processed as a new application with appropriate fees assessed.

(k) When amendment of applicable laws or the department's regulations requires changes to an approved plan, the department shall:

(1) notify the applicant of the changes, and

(2) allow the applicant one hundred eighty (180) days from the date of notification to submit a revised plan for approval or until the expiration date of the standard plan approval, whichever occurs first.

(l) Written approval shall be evidenced by the department's stamp of approval on the plans. The stamp of approval shall include a unique department-issued standard plan approval identification number for each approved plan, specification, or installation instruction.

(m) Standard plan approval for each accessory building or structure, foundation system, or engineered tiedown system is contingent upon compliance with the requirements of this article. The department may conduct inspections to determine compliance with an approved plan. Violation of any of the provisions of this article or variations from an approved plan shall be cause for cancellation of the standard plan approval.

(n) Reproductions of an approved plan bearing a department-issued standard plan approval for the purpose of obtaining a permit to construct a foundation system or accessory building or structure shall be clear and legible.

(o) When an applicant who has obtained a standard plan approval discontinues the business, has notified the department, or the department makes that determination, the standard plan approval shall be canceled.

(p) The department shall be notified of any change in the name of an applicant or change in name or ownership of an applicant's business. The department may grant a standard plan approval to the new owner, if the new owner provides a written certification that the accessory building or structure foundation system or engineered tiedown system will be constructed in accordance with the existing standard plan approval and submits the completed form designated by the department, together with a ten dollar (\$10) fee. The certification, application, and fee shall be submitted for each plan with a separate standard plan approval.

(q) An applicant shall notify the department, in writing, within ten (10) days of any change to their address. The notification shall be accompanied with a ten dollar (\$10) change of address fee.

(r) Plans with a standard plan approval from the department shall be accepted by the enforcement agency as approved for the purpose of obtaining a construction permit when the design loads and allowable soil conditions of specified in the plans are consistent with the requirements for the locality. Local enforcement agencies shall not require the original signature of the architect or engineer on the standard plan approval.

NOTE: Authority cited: Sections 18300, 18502, 18502.5, 18551 and 18613.4, Health and Safety Code. Reference: Sections 18502, 18502.5, 18551, 18552 and 18613.4, Health and Safety Code.

**§ 1025. Earthquake Resistant Bracing System Fees.**

(a) Certification application fee, two hundred three dollars (\$203).

(b) Certification Renewal fee, two hundred three dollars (\$203).

(c) Certification review fees. Two hundred three dollars (\$203) providing the related certification review does not exceed one hour. When the related certification review exceeds one hour, the following fees shall apply:

(1) Second and subsequent whole hours: ninety-two dollars (\$92).

(2) Each thirty (30) minutes, or fractional part thereof: forty-six dollars (\$46).

The balance of certification review fees due shall be paid to the department prior to the issuance of certification.

(d) When the department is the enforcement agency:

(1) Inspection or reinspection fee. One hundred ninety-six dollars (\$196) provided the related inspection or reinspection does not exceed one (1) hour. When the related inspection or reinspection exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41).

(2) A minimum fee of one hundred ninety-six dollars (\$196) shall be submitted with each application for a permit or reinspection. Any additional fees required shall be paid upon completion of the inspection or reinspection.

(e) Change of ERBS-manufacturer's name, ownership or address fee, sixty-two dollars (\$62).

NOTE: Authority cited: Sections 18502.5, 18613.5 and 18613.7, Health and Safety Code. Reference: Sections 18300, 18502.5, 18613.5 and 18613.7, Health and Safety Code.

**§ 1030. California Environmental Quality Act Compliance.**

Wherever the department is the enforcement agency, evidence of compliance with The California Environmental Quality Act, Public Resources Code, Division 13, commencing with section 21000, shall be submitted with an application for a permit to construct or enlarge a park.

NOTE: Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18300.1, 18406, and 18501, Health and Safety Code. Sections 21000 et seq., Public Resources Code.

**§ 1032. Permit Applications- Required Approvals.**

(a) All applications for permits to construct shall be submitted on the designated form provided by the enforcement agency.

(b) Applications for permits to construct or enlarge a park, shall be submitted with written evidence of compliance with the California Environmental Quality Act, along with written approval by all of the following:

(1) the local planning agency,

(2) the local health, fire, and public works departments,

(3) the local department responsible for flood control,

(4) the serving utilities, and

(5) any other public agencies having jurisdiction over the activity contained in the permit application.

(c) Park operator approval is required on all applications for a permit to construct, reconstruct or alter the park electrical, fuel gas, plumbing, or fire protection equipment or installations.

(d) Park operator approval is required with all applications for a permit to install an MH-unit, or to alter an MH-unit located in a park, if the alteration would affect the electrical, fuel gas or plumbing system of the park.

(e) Park operator approval is required on all applications for permits to construct, reconstruct, install or alter an accessory building or structure or building component to be located or proposed to be located within a park.

(f) Written evidence of applicable local approvals may be required for permanent buildings, when the installation may impact local services.

Comments by Mobile Home Advisory Board

# ATTACHMENT #5

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Comments from Mobile Home Advisory Board Members  
Re: Draft Memorandum-Mobile Home Local Enforcement Authority  
Monday, March 26, 2007

Barbara Boskovich, Chair

There could be an impact on the City if it were to assume the responsibilities associated with the enforcement of the mobile home parks within Huntington Beach, but the question is, how much of an impact? In the past, the City had its own code enforcement officer assigned to the mobile home parks in the city. Why did the City stop? I have heard that the reason was that it was too expensive of a burden for the City to carry. We need to know what the expenses are.

Also, after learning that the City would be collecting annual operating permit and state fees from the park owners, could the fees cover the costs to hire an enforcement officer?

Why would the City have to hire full-time, benefited employees to do this? Why couldn't they hire part-time employees to address the health and safety of its citizens in the mobile home parks?

If the City were to assume enforcement of the parks in the city then they would gain better control of both the parks and the residents. Even though there are shared duties between the State and the City, the City would have more control over the condition of the parks. It would not be with the intention of creating a money-making program. Rather, the City would be better able to address some of the parks' issues.

I realize that everything has a cost factor but at what point will the City take responsibility for its citizens?

I think the City could be creative and maybe get grant funding to help supplement the costs to do this. But the salaries for a part-time and full-time employee to do the work and an estimate of fees that could be collected and retained by the City if it were to take over enforcement of the parks will need to be reviewed.

Steve Gullage, Member:

All mobile home owners pay an annual fee into the State Inspection Program which helps finance the costs incurred by HCD when making the park inspections. Not having any figures to compare, or any idea what amount will be allotted to the City of Huntington Beach if it were to assume the park inspection program, it is difficult to determine the financial burden, if any, that the City would bear. The City of Huntington Beach assumed the local enforcement authority role, up to 1993. The City's records should indicate what personnel would be required to re-assume the duties. It should also be considered whether retired or part-time employees could be hired to perform the inspections and handle complaints.

HCD is understaffed at the present time, with a resulting time-lag in their response to some complaints. This is leaving some parks with serious health and safety violations that expose homeowners to unsafe and unhealthy conditions. Another side-effect of this is that inspecting after-the-fact does not always render a just decision to the complaining homeowner and leaves the situation unresolved until it happens again. If the City were to perform the inspections in a local atmosphere and utilize immediate enforcement capabilities through the City Attorney's office, (see California Mobilehome Residency Law, Article 8, Section 798.87 (a), (b) and (c)), much of the annual unhealthy situations that are foremost in many of the parks would be monitored and corrected. This would result in a reduction of complaints and inspection requirements.

If the City does assume enforcement of the mobile home parks in Huntington Beach, there will be a difficult period at the start, until those hired for the job learn the Title 25 Health and Safety Codes and the proper method of inspecting for violations. But once the parks are in compliance it should get easier.

I feel that the mobile home owners would benefit greatly from the City's participation in the program, and the City would benefit by having safe parks within its boundaries.

Cynthia Goebel, Member:

The arguments in favor of the City of Huntington Beach assuming enforcement of the mobile home parks in the City of Huntington Beach seems to be local access for our seniors to HCD regulatory process.

The arguments against this action seem to be increased cost to our city, overlapping jurisdiction between the City and HCD, and lack of ability to enforce the City Municipal Code within the mobile home parks.

If the City were to become the Local Enforcement Agency (LEA), it would encourage our seniors to come forward with their complaints and concerns. In that case I am in favor of this action.

My parting recommendation is that the City move forward with this proposal, with the understanding that a review of the costs and the satisfaction of seniors and the City with regard to the process, will be done in a few years. Such a review might reflect favorably on this action, or it could result in the City's decision to again relinquish its position as the LEA.

Mark Porter, Member:

Parks are now being inspected every eight years. Having someone doing the inspections on a more regular basis would hopefully result in more frequent inspections of the parks.

Cost as a barrier is secondary; it's obvious that the cost will never be entirely recovered. The real issue at stake is whether or not the city wants to benefit those residents who



reside in mobile home parks. The real benefit to having the City perform inspections and enforce Title 25 requirements within the mobile home parks would be convenience and efficiency.

We need to find out the exact number of hours needed and see how existing City staff can be utilized to accomplish these responsibilities.

Brenda Wooten-Schock, Member:

I do not see a part-time employee being able to handle the responsibilities that the City would be taking on if it were to assume oversight of the mobile home parks.

Daniel Kittredge, Member:

Where will the money come from to accomplish this? Will it short-change other valuable programs?

There would be benefits in having local, more efficient, means to address the needs of residents if the City were to pursue the oversight of its mobilehome parks. The parks are not, each, being inspected each year at this time. But they could be divided up to cover only a portion each year, depending on the man-hours available, as budgeted, and still get inspected more often than they are, at present.

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**Impact Analysis by Code Enforcement**

**ATTACHMENT #6**

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**Holtz, Steve**

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**From:** Zylla, Bill  
**Sent:** Thursday, March 29, 2007 2:07 PM  
**To:** Holtz, Steve; Hess, Scott  
**Cc:** Fuentes, Mike; Fauland, Herb  
**Subject:** Comments on HCD and Mobile Home Enforcement

Steve,

Code Enforcement staff has reviewed the information provided by Economic Development regarding the feasibility of the City taking responsibility for limited enforcement within Mobile Home Parks. While it is unclear as to which department, if the City Council decided to pursue becoming a Local Enforcement Authority, would be designated as responsible for enforcement within mobile home parks, Code Enforcement staff has reviewed the information in your memorandum of February 2007 to provide comments regarding potential impacts to the Code Enforcement Division.

Staff has several concerns regarding potentially becoming a Local Enforcement Authority. These concerns include:

- ✓ Current enforcement personnel may not currently have the required qualifications, knowledge and ability to apply the requirements of the MPA and Title 25 regarding enforcement. Additionally, with the addition of 2,800 mobile homes into the enforcement jurisdiction, existing staffing levels would not be adequate.
- ✓ Enforcement personnel would be required to adopt and adhere to the State's process for the issuance of notices of violations, time-frames for compliance, appeal processes, and legal remedies for gaining compliance which appear to be significantly different than the City's currently adopted processes.
- ✓ The authority granted to take enforcement action is generally limited to permanent buildings, structures and common areas, and in performing the semi-annual park inspections. However, the City would also be burdened with the responsibility to respond to all complaints regarding a mobile home or mobile home park. City enforcement personnel responding to a complaint would be responsible for issuing notices of violation for anything related to a substandard mobile home, including the structural, fire-life safety, electrical, plumbing, or mechanical system of the mobile home. However, City personnel would have no authority to essentially follow-up and determine compliance as only HCD can grant the permits necessary to do the repairs and inspect to ensure that the repairs were done correctly. This creates a potential point of confusion for residents and park owners, and the possibility of miscommunication between HCD and the City with the issuance of notices of violation, permits, inspections, closing of case files, and providing responses to complainants.
- ✓ Currently the City has no ability to verify if permits were obtained by mobile home owners for alterations to their coaches, and it is unclear if access to a system (if it exists) would be readily or conveniently available. Therefore, the ability to efficiently respond to and investigate a complaint would be hindered as verification of information may be delayed. The matter of obtaining access to past records of violations and construction is an issue that would also need to be addressed.
- ✓ In regards to the semi-annual inspections, the City, acting as the local enforcement agency, would be required, per to coordinate a preinspection orientation for mobile home owners and park operators with the use of an audio-visual presentation, not less than 30 days prior to the inspection.
- ✓ The City would be required to adopt the fee schedule set by HCD, and would have no ability to either augment or supplement the State-established fees, regardless of whether the State fees cover the City's full cost of service provision. This includes fees for plan checks, permit approvals for permanent structures, inspections, in addition to citation fines and late fees, and reinspection fees.

Code Enforcement staff is of the opinion that costs of the additional responsibilities and duties required as a local enforcement agency, along with the inability to adjust fees to recover the actual costs of providing required services (annual inspections, plan checks, re-inspections, etc.), and the requirement to adopt enforcement

procedures and timelines for compliance inconsistent with existing City protocols, may outweigh the potential benefits received by the residents and owners of the mobile homes and mobile home parks within the City.

Should the City Council decide to become a local enforcement agency, Code Enforcement staff is ready and willing to assist in implementing the Council's direction. If Code Enforcement staff were directed to implement local enforcement agency responsibilities, existing Code Enforcement staffing levels would be inadequate to perform the additional inspections and workload generated by the addition of 2,800 mobile homes. Initial estimates of required staff are approximately one full-time office assistant, two full-time Code Enforcement Officer II's, and half of a full-time Senior Code Enforcement Officer. Additional costs for necessary training, legal assistance, and operating expenses have not been evaluated.

In conclusion, Code Enforcement staff concurs with the February 2007 memo, that the complexities of the laws and regulations, the high cost of program implementation, and the confusion and service delivery issues associated with overlapping jurisdiction would most likely offset any benefit from improved responsiveness.

If you have any questions or require additional information, please contact me at ext. 5274.

Bill Zylla

William J. Zylla  
Neighborhood Preservation Manager  
City of Huntington Beach  
(714) 536-5274

Impact Analysis by Planning Department

# ATTACHMENT #7

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**Holtz, Steve**

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**From:** Emery, Paul  
**Sent:** Thursday, March 08, 2007 9:01 AM  
**To:** Holtz, Steve  
**Subject:** FW: Mobile Home Oversight Memo

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**From:** Kelley, Jason  
**Sent:** Tuesday, February 27, 2007 12:01 PM  
**To:** Emery, Paul  
**Subject:** RE: Mobile Home Oversight Memo

Paul,

Currently there are zoning regulations in place for residential manufactured home parks. It addresses setback, height, landscaping, lot coverage, parking, etc. The current City requirements will need to be reviewed against the State requirements to determine consistency between them. At most, the City may want to do a zoning text amendment to clear up any inconsistencies (if any) in the zoning code. Additionally, I'm sure there are existing non-conforming structures at the parks, which could create additional issues and if a mobile home owner wants to expand or construct an accessory structure to their site. This is something that should be addressed if a zoning text amendment is processed.

Currently, Bill Zylla in Code Enforcement is reviewing the documents to identify the impacts associated with nuisance and enforcement. I will forward you his response once I receive it.

Jason

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**From:** Emery, Paul  
**Sent:** Thursday, February 08, 2007 1:10 PM  
**To:** Engberg, Eric G.; Grove, Bill; Kelley, Jason; Judd, Teresa  
**Cc:** McGrath, Jennifer; Beardsley, Robert; Smalewitz, Stanley; Hess, Scott; Cranmer, Ross; Olson, Duane S.; Holtz, Steve; King, Terri; Krause, Tina; Suraci, Linda  
**Subject:** FW: Mobile Home Oversight Memo

Attached is a compilation of information provided by Economic Development staff (good job Steve, Terri, Tina and Linda) regarding Mobile Home oversight as requested by then Mayor Sullivan late last calendar year. Please review from each of your respective Department's perspective. I will ask Denise Bazant to schedule a meeting, hopefully next week, to receive your input prior to finalizing for Council review. Please call me if you have any questions.

Paul

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**From:** Holtz, Steve  
**Sent:** Wednesday, February 07, 2007 5:41 PM  
**To:** Emery, Paul  
**Cc:** Smalewitz, Stanley; King, Terri; Krause, Tina; Suraci, Linda  
**Subject:** Mobile Home Oversight Memo

Paul,

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3/21/2007

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Impact Analysis by Building & Safety Department

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**CITY OF HUNTINGTON BEACH**  
INTER-DEPARTMENT COMMUNICATION  
DEPARTMENT OF BUILDING AND SAFETY

**TO:** Paul Emery, Deputy City Administrator  
**FROM:** Bill Grove, Inspection Manager  
**SUBJECT:** **Mobile Home Park Local Enforcement Authority Impacts**  
**DATE:** February 28, 2007

The memo from Stanley Smalewitz, Director of Economic Development dated February 7, 2007 regarding Mobile Home Park Local Enforcement Authority addresses many of the issues and challenges facing jurisdictions that choose to assume local enforcement of mobile home parks.

In addition to impacts identified in the referenced report, if the City of Huntington Beach assumed such control it would have the following significant impacts on the Department of Building and Safety:

**1. Staffing**

In order to provide inspections for permitted work and conduct periodic inspections of the mobile home parks as required by law, it is estimated that a minimum of one additional full time building inspector and some support staff would be needed.

**2. Fees**

As indicated in the previously referenced report, in order to assume enforcement authority, a city must adopt the permit fee schedule as established by the State Department of Housing and Community Development. The currently established state fees are approximately one-half of those adopted by the City of Huntington Beach. The city fees represent the approximate costs reasonably born to provide inspection services. The state established fees would not be sufficient to cover the entire cost of providing inspection services.

**3. Permit System**

As indicated above, an entire separate fee schedule would apply to permits issued for work in mobile home parks. Information Technology staff estimates that the cost of modifying the permit system to provide for a separate Mobile Home Park module and fee schedule would be \$50,000 to \$75,000 and would take four to six months to accomplish.

It would be possible to proceed without full automation but that would render a portion of the data base inaccessible and would take more staff time to manage.

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**Impact Analysis by City Attorney**

**ATTACHMENT #9**

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**Holtz, Steve**

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**From:** Emery, Paul  
**Sent:** Thursday, March 08, 2007 9:02 AM  
**To:** Holtz, Steve  
**Subject:** FW: Mobile Home Oversight

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**From:** Judd, Teresa  
**Sent:** Friday, March 02, 2007 2:11 PM  
**To:** Emery, Paul  
**Cc:** McGrath, Jennifer  
**Subject:** Mobile Home Oversight

Paul,

You asked me to provide you with information regarding what additional resources would be required from the City Attorney's office should the City decide to assume regulatory enforcement of the mobile home parks. The City Attorney's role would include, but would not be limited to, involvement in prosecutions and abatement proceedings that would likely arise during the course of such enforcement.

It is safe to assume that there would be a higher demand on this office's resources during the first six to twelve months after the City assumes enforcement, and perhaps a lesser, but still significant, demand after this initial start-up period so as to address ongoing maintenance. Although difficult to quantify without more information regarding any existing violations within the parks, it is estimated that the City's enforcement of mobile home parks would require one additional Deputy City Attorney position during the first year and at least ½ of that attorney's time thereafter.

Please let me know if you need additional information.

Teresa L. Judd  
Deputy City Attorney  
x 5548

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Impact Analysis by Fire Department

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**CITY OF HUNTINGTON BEACH  
INTER-DEPARTMENT COMMUNICATION**

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DEPARTMENT OF  
ECONOMIC DEVELOPMENT

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CITY OF HUNTINGTON BEACH  
ADMINISTRATION OFFICE

To: Paul Emery, Deputy City Administrator  
Via: Duane S. Olson, Fire Chief *[Signature]*  
From: Eric G. Engberg, Fire Marshal *EE*  
Date: March 2, 2007

**SUBJECT: MOBILE HOME PARK LOCAL ENFORCEMENT AUTHORITY**

Pursuant to your request, the Fire Department has reviewed the Mobile Home Park Local Enforcement Authority memo and associated documents. The memo was presented by Stanley Smalewitz, Director of Economic Development. The memo contained detailed research regarding the issue and presented a comprehensive overview of the regulatory authority for mobile home parks. There were no identified "data gaps" in the memo. Director Smalewitz recommends that the current structure of regulatory authority for mobile home parks should remain. I would concur with this conclusion.

For years, the Fire Department has provided services to mobile home parks and will continue to provide these services regardless of a change in regulatory authority as outlined in the memo. These Fire Department services are as follows:

- Emergency response for fire, medical and environmental emergencies
- Emergency medical transport services
- Fire, hazardous materials release and non-emergency investigation activities
- Hydrant maintenance for the private fire hydrants, including review of state mandated service and flow records
- Annual fire permit and life safety inspections for recreation rooms, clubhouses and office areas
- Homeland security and emergency management services

In addition, the Huntington Beach Fire Code provides the Fire Department regulatory control over emergency access, water supply and unsafe conditions.

If in the event that the City elects to assume enforcement and inspection responsibilities for the mobile home parks, there would be additional impacts to the Fire Department. These impacts would include additional plan check, inspection and enforcement activities. The scope of this increased activity may drive an additional need for Fire Department resources. The true impacts would not be completely determined until the responsibility was shifted to the City.

If you have any questions or require further information or analysis, please contact me. Thank you for the opportunity to respond to this complex issue.

PowerPoint Presentation

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# Mobile Home Park Local Enforcement Authority

Huntington Beach  
City Council Study Session  
April 16, 2007

## Background

- City Council directed staff to report on mobile home park regulatory alternatives.
- Staff has researched the legal, administrative, and financial aspects of mobile home park regulation.
- Research has included input from Huntington Beach mobile home residents, park owners, State HCD, and other cities that have at one time assumed mobile home enforcement authority or recently considered assuming authority.

## State Law

- Mobile home parks are governed under State law
  - Mobile Home Residency Law
  - Mobile Home Parks Act (Health and Safety Code)
  - Title 25 of CA Code of Regulations.
- State Department of Housing and Community Development (HCD) is the responsible agency.

## Local Enforcement Authority

- Huntington Beach can assume local enforcement authority (LEA) from the State to enforce most MPA and Title 25 provisions in the City.
- City may not apply local Municipal Code.
- City must adopt State fee schedule, which cannot be augmented or supplemented.

## Limitations of Local Enforcement Authority

- LEA cities have authority for all common area structures in parks and installation of new coaches.
- HCD is always the enforcement authority for the manufactured home itself
  - Structural, fire-life safety, plumbing, electrical, mechanical systems and equipment, and installation of fire sprinkler systems.

## Limitations of Local Enforcement Authority

- System of overlapping jurisdictions results with the State & cities both having responsibilities within parks
  - Example of a room addition or cabana requiring a sidewall opening.

## Orange County LEA Cities

- There are 9 OC cities with LEA.
- Building officials in many of these cities indicated lack of cost recovery.
- Confusion often results with 2 agencies having responsibilities within parks
  - Many indicate a desire to return authority to the State.

## Mobile Home Parks in HB

- There are 2,865 mobile homes in Huntington Beach spread among 18 parks.
- Staff asked the local HCD office but were not told the number of permits requested in the past year from Huntington Beach mobile home owners.
- If Huntington Beach were the LEA, the City would have handled accessory coach structure permits, new home installation inspections, and common area structure projects.

## Impact of Assuming LEA

- Additional staff and associated resources would be required for
  - Code Enforcement training on State codes, inspections, issuance of violations, compliance monitoring, appeal processing, legal enforcement
  - Building & Safety for plan review and inspections
  - Planning for zoning text review and plan review
  - City Attorney for prosecutions and abatement proceedings
- Total estimated first year cost is \$654,113
  - Subsequent annual cost is \$495,863

## Impact of Assuming LEA

- State permit fees
  - \$17,351 total annual permit fees for HB
    - \$25 annual fee per park
    - \$6 annual fee per mobile home
  - As LEA, City would collect fees and then pay a portion to the State
  - City would also collect various plan check & permit fees

## Recommendation

- Do not assume local enforcement authority
  - Sharing of fees with State
  - Additional staff resources would be needed
  - Unlikely cost recovery
  - Overlapping jurisdictions
  - Limited ability to improve oversight