

**DIVISION 500
MANUFACTURED DWELLINGS**

General Rules

918-500-0000

Reasonable Notice to Interested Parties

Before the adoption, amendment or repeal of any rule relating to the construction, inspection, installation, or alteration of manufactured dwellings or manufactured dwelling accessory buildings or structures adopted under ORS 446.003 to 446.990, the Building Codes Division shall give notice of the proposed adoption, amendment or repeal:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days before the effective date; and

(2) By mailing a copy of the notice to persons on the Manufactured Structures and Parks Section's mailing list established under ORS 183.335(7).

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 183.335

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0005

Definitions

The following definitions shall apply to OAR 918, divisions 500, 515 and 520, and the **Oregon Manufactured Dwelling and Park Specialty Code** as adopted in OAR 918-500-0020 and are in addition to those in ORS 446.003:

(1) "Authority Having Jurisdiction" means the Building Codes Division or local government which has been appointed by the Administrator to inspect and issue permits for installation, alteration or conversion of manufactured dwellings, equipment, accessory buildings and structures.

(2) "Accessory Building" means an accessory building as defined in ORS 446.003(1) and specifically includes but is not limited to cabanas, ramadas, storage sheds and garages.

(3) "Accessory Structure" means an accessory structure as defined in ORS 446.003(1) and specifically includes, but is not limited, to awnings, carports, decks, steps and ramps.

(4) "Adjustment of Equipment" means the adjustment of the rate, flow, speed and temperature as necessary for the continued operation of the equipment but does not include the repair, replacement, conversion, alteration or addition to any equipment.

(5) "Attached Garage" means a garage which is structurally independent of a manufactured dwelling

but is joined through flashings and separated with fire-resistant construction.

(6) "Building" means any permanent building but does not include manufactured dwelling accessory buildings.

(7) "Building Drain" means that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the manufactured dwelling and conveys it to the building sewer.

(8) "Combination Park" means a lot or tract of land which has been approved to contain both a manufactured dwelling or mobile home park and a recreation park.

(9) "Controlled Fill" means fill intended to bear a minimum 1,000 pound per square foot structural load in which the fill material is placed in layers of soil, crushed stone or masonry waste material, compacted, and tested to insure that it meets specified compaction standards determined by laboratory tests of soil samples from the fill material.

(10) "Department" means U.S. Department of Housing and Urban Development also referred to as H.U.D.

(11) "Direct Supervision" means being physically present 85 percent of each day to provide leadership and direction on the job site to limited installers installing manufactured dwellings or cabanas.

(12) "Earthquake-Resistant Bracing System" or "ERB" means an anchoring system, bracing system or other devices designed and constructed to protect the health and safety of the occupants of, and reducing damage to, a manufactured dwelling in the event of an earthquake.

(13) "Field Technical Service" means the clarification of technical data, including but not limited to, Division interpretations, investigations or training relating to the application of laws, rules, standards and regulations administered and enforced by the Building Codes Division.

(14) "Full Foundation System" means a listed or approved engineered system of prefabricated foundation supports installed to the pier manufacturer's installation instructions.

(15) "Garage" means a structure located on a manufactured dwelling site designed for the storage of motor vehicles.

(16) "Gas Supply Connector" means a listed connector designed for connecting the manufactured dwelling to the gas supply source.

(17) "Habitable Room" means a room or an enclosed floor space intended for living, eating, food preparation, or sleeping purposes not including bathrooms, toilet compartments, laundries, pantries, foyers, hallways, and other accessory spaces.

(18) "Immediate Family" means father, mother, brother, sister, son, daughter, son-in-law, daughter-in-law, grandson, granddaughter, grandfather, grandmother, stepmother, stepfather, stepson, stepdaughter, brother-in-law or sister-in-law.

(19) "Insignia" means "Insignia of Compliance" as defined in ORS 446.003.

(20) "Labeled" means equipment or materials used in the manufacture or installation of a manufactured dwelling, to which has been attached a label, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization which evaluates products to nationally recognized standards and periodically inspects production of equipment and materials to show compliance with those standards for usage in a specified manner.

(21) "Length of a Manufactured Dwelling" means the distance from the extreme exterior of the front wall (nearest to the drawbar and coupling mechanism) to the extreme exterior of the rear wall (at the opposite end of the home) where such walls enclose living or other interior space and such distance includes expandable rooms but not bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments.

(22) "Listing Agency" means an agency that:

(a) Is regularly engaged in conducting its own tests, listing, labeling or contracting its testing procedures to a nationally recognized testing agency;

(b) Maintains a periodic inspection program on production of currently listed products; and

(c) Publishes, at a minimum, an annual report which is used to determine whether products have been tested to such national standards and found safe for use in a specified manner.

(23) "Load Bearing Device" means any equipment or device used in the support of a manufactured dwelling including but not limited to footings, piers, caps and shims.

(24) "Maintenance of Equipment" means performing routine tasks such as lubricating or changing filters, washers, fuses or bulbs as necessary for the continued operation of the equipment but does not include the replacement, conversion, alteration or addition of or to any equipment.

(25) "Manufacturer's Representative" means an employee, dealer or person authorized by a manufacturer through contract to act on behalf of the manufacturer.

(26) "Minor Repair" means a simple repair such as replacing broken glass, fittings, devices or fixtures, using approved component parts but does not include the repair or replacement of major portions of the structural, plumbing, electrical or mechanical system or conversions, alterations or additions.

(27) "Model" means an individual manufactured dwelling as designated by the manufacturer, intended to be manufactured with a specific floor plan, structural components, and the type, location and installation of plumbing, mechanical and electrical equipment in accordance with the plans submitted to the Design Approval Primary Inspection Authority.

(28) "Multiple" means two or more individual manufactured dwellings designed to be adjoined with a zero clearance between them.

(29) "Noncompliance" means a failure of a manufactured dwelling, alteration or installation to comply with an appropriate building code or standard.

(30) "Notice of Violation" means written notification by the Division stating the manufactured dwelling or equipment may not be used, rented, leased, or sold or offered for rent, lease, or sale due to violations of ORS Chapter 446 or the appropriate building code or standard. (Also known as, "Red Tag," "Stop Work Order," "Prohibited Sales Notice").

(31) "One Year," relating to experience qualifications, means 1,600 hours of work experience, 45 or more credit hours of schooling in the quarter system or 30 or more credit hours of schooling in the semester system.

(32) "Option" means a provision made during the manufacture of a manufactured dwelling to facilitate the future installation of any appliance or other equipment (e.g., air-conditioner, wet-bar or dishwasher).

(33) "Park Street" or "Park Driveway" means a private way that affords principal means of access to abutting individual manufactured dwelling lots and auxiliary buildings.

(34) "Park Trailer" means a vehicle built on a single chassis, mounted on wheels, designed to provide recreational, seasonal or temporary living quarters which may be connected to utilities necessary for operation of installed fixtures and appliances and with a gross trailer area not exceeding 400 square feet when in the set-up mode. Such a vehicle shall be referred to, and identified by the manufacturer or converter, as a recreational vehicle.

(35) "Pier" means that portion of the support system between the footing and the manufactured dwelling.

(36) "Play Area" means a safe area inside a park exclusively dedicated for children to play and exercise with or without playground or recreation equipment but does not include a park club house, pool, storage lot or other area set aside for the general use of the park residents.

(37) "Porch" means an outside walking area having the floor elevated more than eight inches (20 cm) above grade.

(38) "Prefabricated Cabana" means a cabana built at an off-site location and transported to the site for installation.

(39) "Prefabricated Pier" means a listed or approved pier which is manufactured at an off-site location but does not include concrete blocks or earthquake-resistant bracing systems.

(40) "Recessed Porch" means an open floor area supported by the main frame which is located outside the exterior walls of the manufactured dwelling and which may be enclosed by a roof, screening or glass.

(41) "Repair" means the reconstruction or renewal of any part of an existing manufactured dwelling or piece of equipment for the purpose of its maintenance.

(42) "Replacement In Kind" means replacing equipment or accessories with approved like equipment or

accessories, such as switches, thermostats, fittings, elements or motors, but does not include the replacement of major portions of the structural, plumbing, electrical or mechanical system.

(43) “Single-Family Dwelling” means a manufactured dwelling used by an individual or two or more persons related by blood or marriage or a group of not more than ten persons not related by blood or marriage living together. When located in a labor camp as defined in OAR 437-147-0142, single-family dwelling shall include manufactured dwellings with not more than five bedrooms, used to house up to ten persons not related by blood or marriage.

(44) “Site, Manufactured Dwelling” means a designated parcel of land designed to accommodate a manufactured dwelling, its accessory structures or buildings, and accessory equipment for the exclusive use of the occupants.

(45) “Skirting” means the underfloor enclosure around a manufactured dwelling.

(46) “Stand” means that area of the manufactured dwelling site which has been reserved for the placement of a manufactured dwelling or accessory structure.

(47) “Structure” means that which is built or constructed, an edifice or building of any kind, or piece of work artificially built up or composed of parts joined together in some definite manner.

(48) “Tag” means a label issued by the Division and applied to manufactured dwellings to indicate compliance with these rules.

(49) “Testing Laboratory” or “Testing Agency” means an organization:

(a) In the business of testing equipment and systems;

(b) Qualified and equipped to perform or to observe experimental testing to approved standards;

(c) Not under the jurisdiction or control of any single manufacturer or supplier for an affected industry;

(d) Which publishes reports including specified information about the equipment and systems tested and found safe for use in a specified manner; and

(e) Whose methods and standards have been approved by the Division.

(50) “Underfloor Enclosure” means the perimeter skirting, foundation wall or retaining wall used to enclose the underfloor area of a manufactured dwelling.

(51) “Utility Connection” means:

(a) Installation and connection of the manufactured dwelling electrical feeders to the utility termination (electrical service);

(b) Installation and connection of the manufactured dwelling drain (building drain) to the sewer utility termination (building sewer);

(c) Installation and connection of the manufactured dwelling water distribution system to the water utility termination (building supply); and

(d) Installation and connection of the manufactured dwelling fuel gas distribution system to the gas utility termination.

(52) “Utility Termination” means:

(a) The electrical service equipment provided on a lot for the manufactured dwelling utility connection;

(b) The building sewer provided on a lot for the manufactured dwelling utility connection; and

(c) The building water supply provided on a lot for the manufactured dwelling utility connection.

(53) “Visual Inspection” means an inspection by the Division of the visible portions of completed construction for the purpose of identifying code violations or approving and issuing an insignia of compliance.

(54) “Width of a Manufactured Dwelling” means the distance between the extreme exterior of two opposite walls enclosing living or other interior space and including expandable rooms but not bay windows, porches, wall and roof extensions, or other attachments.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.240

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 31-1991(Temp), f. 9-25-91, cert. ef. 9-30-91; BCA 5-1992, f. & cert. ef. 3-23-92; BCA 10-1992, f. 6-1; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-500-0010

Objective

(1) The provisions of OAR 918, divisions 500, 515 and 520 shall apply to the design, manufacture, installation, alteration, licensing, handling and storage of equipment or manufactured dwellings rented, leased, sold, installed or offered for rent, lease or sale in Oregon as authorized by ORS 446.155. OAR 918, division 500 shall be applicable to OAR 918, divisions 505 and 520.

(2) A dealer subject to the requirements of OAR 918, division 500, must also comply with OAR 918, division 550 and OAR 918-030-0400 through 0490.

Stat. Auth.: ORS 183.325-410, 446.230, 446.240, 446.666, 455.010-130 & 455.610

Stats. Implemented: ORS 446.240 & 446.666

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-500-0020**Standards for Manufactured Dwellings**

The **Oregon Manufactured Dwelling and Park Specialty Code, 2002 Edition**, and those standards referenced within are adopted as the Division standards for manufactured dwelling use, occupancy, placement, installation, alteration, repair, conversion, re-manufacturing, utility connection, fire protection and separation, for accessory buildings and structures and for the installation of heat-producing appliances in manufactured dwellings.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185 & 446.230

Stats. Implemented: ORS 446.225

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 14-1995, f. 9-15-95, cert. ef. 1-1-96; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1996(Temp), f. & cert. ef. 1-12-96; BCD 12-1996, f. & cert. ef. 7-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-500-0021**Amendments to the Manufactured Dwelling and Park Specialty Code**

(1) The **2002 Oregon Manufactured Dwelling and Park Specialty Code** is adopted as the recognized standard for manufactured dwelling use pursuant to chapter 918, division 8. Amendments adopted are placed in this rule, showing the section reference, a descriptive caption and a short description of the amendment.

(2) Effective April 1, 2005:

(a) Amend Section 9-5.3(k) and 9-6.3(n) by removing reference to clearances between dwellings on adjacent lots and property lines.

(b) Amend Table 9-A by changing notations on separations for dwellings on same lot and dwellings on adjacent lots.

(c) Amend Table 9-B by changing notations on several setbacks and clearances and adding notation number 5.

(3) Effective August 21, 2007, Section 3-2.4.2 is amended to clarify installation requirements for manufactured dwellings in floodways.

[Publications: Publications referenced are for review at the division.]

Stat. Auth.: ORS 446.100 & 446.185

Stats. Implemented: ORS 446.100 & 455.110

Hist.: BCD 3-2005, f. 3-16-05, cert. ef. 4-1-05; BCD 9-

2006, f. 6-30-2006, cert. ef. 7-1-06; BCD 9-2007 (Temp), f. 8-21-07, cert. ef. 8-21-07 thru 2-17-08

918-500-0035**Additional Requirements**

In addition to the federal **Manufactured Home Construction and Safety Standards** dated October 25, 1995 (**24 CFR Section 3280**), all applicable manufactured homes manufactured after July 1, 1998 for sale or installation in Oregon, regardless of origin, shall comply with these requirements.

(1) Manufacturers of multi-section manufactured homes shall permanently mark the underfloor at the centerlines (marriage lines) to indicate the location of all column support post locations where pier supports are required. Marking must be made with a permanent paint of contrasting color that will be highly visible after all pier supports are in place and that will not wash off in transit; and

(2) Manufacturers of multi-level (i.e., split-level or two-story) manufactured homes shall install stairways, ramps, landings, handrails and guardrails in accordance with **Sections 312, 313, 314, and 315** of the **Oregon One- and Two-Family Dwelling Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCD 5-1998, f. 2-10-98, cert. ef. 7-1-98; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-500-0040**Dealer And Distributor Responsibilities**

(1) Dealers and distributors selling manufactured homes for installation in Oregon shall present each potential buyer of a new manufactured home with a Division disclosure statement to read and sign prior to the completion of the sales contract of any new manufactured home. Prior to presenting disclosures to potential buyers and prior to any sale, dealers and distributors shall complete the disclosure in writing indicating the date, dealer's or distributor's name, address and Department of Motor Vehicles dealer license number. Dealers and distributors shall give one signed copy of the disclosure to the buyer and retain one copy in the dealer's or distributor's files for not less than five years from the date of sale. Copies of signed disclosures shall be made available to the Division upon request.

(2) Dealers or distributors may reprint the Division's disclosure form or include the Division's disclosure statement within their own sales contract. If a dealer or distributor prints its own disclosure, the content shall be identical to the Division's disclosure statement and shall not be less than 11 point type size.

(3) Dealers and distributors are responsible for maintaining accurate records and filing those reports where

required by the federal Manufactured Housing Procedural Regulations 24 CFR 3282, ORS Chapter 446 and OAR 918, divisions 500 and 515.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.260

Stats. Implemented: ORS 446.260

Hist.: BCD 4-1998, f. 2-10-98, cert. ef. 7-1-98; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-500-0055

Division Position on Delegation and Revocations of Authority to Local Government

(1) When the program for alteration and installation permit and plan review for manufactured dwellings and accessory buildings and structures is delegated to a local government as provided by ORS 446.250 the delegation of authority includes the obligation to comply with all applicable laws, rules, standards and codes adopted by the Division relating to alteration and installation of manufactured dwellings and accessory buildings and structures including those requiring collections and remittance to the Division of state fees and surcharges.

(2) A municipality's manufactured dwelling permit fees shall be reasonable and shall not exceed the cost of administering the manufactured dwelling installation or alteration program.

(3) Failure to comply with all applicable laws, rules and codes constitute failure to consistently act in the public interest or to carry out the duties assumed by local government, and shall be enforced under the provisions of ORS 446.253 and 446.255.

Stat. Auth.: ORS 446.253

Stats. Implemented: ORS 446.250 & 455.150

Hist.: BCA 11-1991(Temp), f. 4-30-91, cert. ef. 5-1-91; BCA 23-1991, f. 7-2-91, cert. ef. 7-5-91; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

Fees

918-500-0100

General Manufacturer, Dealer and License Fees

The following fees shall be paid to the Division where the Division is the authority having jurisdiction. Municipalities who have been delegated the manufactured dwelling alteration program by the Division may establish their own fee schedule, within the restriction of OAR 918-500-0055(2), or adopt the Division's fee schedule through local ordinance.

(1) Inspection Fee: \$55 for an inspection requiring one hour or less, and \$27.50 for every

additional 30 minutes or fraction thereof exceeding one hour, including travel time. Mileage shall be paid at the rate established by the State's Department of Administrative Services.

(2) Field Technical Service Fee: \$55 for service requiring one hour or less, and \$27.50 for every additional 30 minutes or fraction thereof exceeding one hour, including travel time. Mileage shall be paid at the rate established by the State's Department of Administrative Services.

(3) Out-of-State Inspection or Field Technical Service Fee: In addition to the hourly charges of sections (1) and (2) of this rule, the Division shall be reimbursed for the actual cost based on published air fare and/or equivalent, plus required surface transportation and cost for food and lodging consistent with the allowances established by the State of Oregon's Department of Administrative Services for authorized state employee travel.

(4) Hourly Re-inspection Fee: Same fee schedule as noted in sections (1), (2), and (3) of this rule.

(5) Change of Manufacturer's Name, Ownership or Address Fee: \$20 for each change.

(6) Insignia Fee: \$50 per insignia.

(7) Replacement Insignia: \$50 per insignia.

(8) Alteration Permit Fees:

(a) Alteration Inspection Fee: \$125 per inspection including insignia of compliance;

(b) Alternate Construction Inspection Fee: \$55 per hour including travel time but not to exceed \$300 for any one manufactured home; or

(c) Single Visual Inspection Fee: \$125 per inspection.

(9) Installation Certification Tag: \$8 per tag.

(10) Manufacturer Registration Fee: \$100 per facility.

(11) Manufacturer Annual Registration Renewal Fee: \$20 per facility.

(12) Manufactured Dwelling Inplant Inspection Fee: \$42.50 per floor inspected, and shall be paid monthly. A maximum of four floor overlap inspections may be performed without charge during each regularly scheduled complete inplant inspection. The fee for re-inspections and additional overlap inspections may be charged at the rate for each floor or at the rate per hour, whichever is less.

(13) Installer License Program Hitch Fee: \$4 per floor produced in Oregon, and shall be paid monthly.

(14) Manufactured Dwelling Label or Tag Handling Fee: \$2 per floor.

(15) Plan Review Fee: \$55 for non-structural plan review requiring one hour or less, and \$27.50 for every additional 30 minutes or fraction thereof exceeding one hour.

(16) Structural Plan Review Fee: \$70 for plan review requiring one hour or less; \$35 for every 30 minutes or fraction thereof exceeding one hour.

(17) Manufactured Dwelling Installer License and Examination Fee: \$55.

(18) Education Provider Application Fee: \$55.

(19) Manufactured Dwelling Limited Installer and Limited Skirting Installer License Fee: \$55.

(20) Manufactured Dwelling Installer and Educational Provider Re-examination Fee: \$40.

(21) Manufactured Dwelling Temporary Limited Installer License Fee: \$10.

(22) Installer, Limited Installer and Limited Skirting Installer License Two-Year Renewal Fee: \$80.

(23) Manufactured Dwelling Accessory Building or Structure Installation Permit Fees: The fees shall be those published in the **Oregon Residential Specialty Code**.

(24) Wherever the fees in this rule differ from the fees in the **Oregon Manufactured Dwelling and Park Specialty Code**, this rule shall apply.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176

Stats. Implemented: ORS 446.176

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 9-1991(Temp), f. 4-24-91, cert. ef. 7-1-91; BCA 34-1991, f. 10-23-91, cert. ef. 10-31-91; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCA 1-1993, f. & cert. ef. 1-4-93; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 23-1994, f. 10-26-94, cert. ef. 11-18-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 13-1996, f. & cert. ef. 7-1-96; BCD 11-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 23-1998, f. 11-9-98, cert. ef. 11-15-98; BCD 15-2000(Temp), f. 8-2-00, cert. ef. 10-1-00 thru 3-29-01; BCD 1-2001, f. 1-24-01, cert. ef. 2-1-01; BCD 15-2005, f. & cert. ef. 7-5-05

918-500-0105

Installation Permit Fees

The following fees shall be paid to the Division where the Division is the authority having jurisdiction. Municipalities who have been delegated the manufactured dwelling installation program by the Division may establish their own fee schedule or adopt the Division's fee schedule through local ordinance within the restriction of OAR 918-500-0055(2).

(1) Manufactured Dwelling and Cabana Installation Permit Fee: \$160 per installation. This permit fee includes review of the plot plan, the installation inspection and the final inspection. This permit fee does not include retaining walls over four feet high or basement construction under a manufactured dwelling.

(2) Earthquake-Resistant Bracing System Installation Permit Fee: \$110 per installation. This permit fee is only charged when the earthquake-resistant bracing (ERB) system is not part of the original manufactured dwelling installation.

(3) Manufactured Dwelling Retaining Wall (if over 48 inches) or Basement Permit Fees: The fees shall be those published in the **Oregon One and Two Family Dwelling Specialty Code**.

(4) Manufactured Dwelling, Cabana and ERB Installation Reinspection Fee: \$110 per inspection.

(5) State Code Development and Training and Monitoring Fee: \$30:

(a) This fee is in addition to all other fees and charges and shall be paid by all purchasers of manufactured dwelling or cabana installation permits regardless of whether the permit is issued by the state or a municipality;

(b) If the installation permit is issued by a municipality, this fee shall be collected and remitted to the Division in the same manner as required by ORS 455.220(2) for surcharges collected by municipalities.

(6) Wherever the fees in this rule differ from the fees in the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020, this rule shall apply.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.176

Hist.: BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 11-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 23-1998, f. 11-9-98, cert. ef. 11-15-98; BCD 15-2000(Temp), f. 8-2-00, cert. ef. 10-1-00 thru 3-29-01; BCD 1-2001, f. 1-24-01, cert. ef. 2-1-01; BCD 6-2001(Temp), f. 6-15-01, cert. ef. 7-1-01 thru 12-27-01; BCD 14-2001, f. 10-15-01, cert. ef. 11-1-01; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-500-0110

Additional Fees

(1) When the Division determines that a person has failed to obtain required inspections, permits, labels, insignias, tags, or plan reviews, which requires the Division staff to work outside normal business hours, the person shall be charged additional fees as described in sections (4) and (5) of this rule.

(2) Persons who sell or ship manufactured dwellings or equipment known to be out of compliance or requiring inspections or reinspections prior to selling or shipment, which requires Division staff to work outside normal business hours, shall be charged additional fees as described in sections (4) and (5) of this rule.

(3) Installers failing to leave a copy of the manufacturer's installation manual when required, failing to attach an installation certification tag or failing to respond to a correction notice shall be subject to a reinspection fee required under section (6) of this rule.

(4) Persons requesting or requiring inspections or field technical service outside the normal business hours of the Division shall be charged fees at 1 and 1/2 times the amounts shown in OAR 918-500-0100 except for travel expenses.

(5) Persons requesting or requiring inspections or field technical service on recognized state holidays shall be

charged two times the amounts shown in OAR 918-500-0100 except for travel expenses.

(6) Persons requesting inspections when work is not ready for inspection, or causing an inspector to make an additional trip for failure to make corrections or failure to notify the Division of corrections shall be charged re-inspection fees as described in OAR 918-500-0100(4).

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.176

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

Registration and Certification

918-500-0300

Manufacturer Registration

(1) All manufacturers of manufactured dwellings located in or shipping to Oregon shall register with the Division.

(2) Manufacturing facility registration shall be renewed by January 1 of each year by submitting an application for renewal of manufacturer registration together with the renewal fee.

(3) A current copy of each manufacturing facility's **Quality Assurance Manual, Installation Manual, Home Owner's Manual and Warranty Provisions** shall accompany each application for registration and renewal.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-500-0310

Manufacturer Certification

All manufacturers of manufactured dwellings shall be certified by the Division pursuant to the federal **Manufactured Home Procedural and Enforcement Regulations, (24 CFR Section 3282.362)**, adopted in OAR 918-500-0020(1) and shall meet the requirements for registration in OAR 918-500-0300.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.225

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0320

Change of Ownership

If there is a change of ownership of a manufactured dwelling manufacturer, the new owner shall, within ten days of the date of change, register with the Division pursuant to OAR 918-500-0300.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0330

Change of Name, Address or Location

When a manufacturer changes its name, address or location the manufacturer shall notify the Division in writing within ten days of the date of change. The notice shall be accompanied by an Application for Manufacturer Registration, together with the fee.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0340

Production Discontinuance

When a manufactured dwelling manufacturer discontinues production, the manufacturer shall return all unused insignia of compliance to the Division.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0400

Required Inspection

(1) No person shall manufacture, transport, rent, lease or sell or offer for rent, lease or sale a new manufactured dwelling without requesting an inspection from the Division if any of the following conditions exist:

(a) The manufactured dwelling has been altered by the manufacturer or dealer before or at the time of sale to the first consumer but has not been approved by the Division;

(b) The manufactured dwelling has left the manufacturer's facility under a "Notice of Violation" or "Red Tag" condition; or

(c) Violations noted in an inplant inspection report have not been corrected through the inspection process.

(2) When inspections reveal that a manufacturer is not manufacturing structures according to their approved design or to the Federal Construction and Safety Standard, and the manufacturer has been provided with a written report identifying specific provisions of the design or the standard that have been in violation, and the manufacturer continues to manufacture structures in violation, the Division may withhold or remove insignia, increase the frequency of inspections or provide training.

(3) To facilitate required inplant and field inspections, no manufacturer shall construct a manufactured dwelling under an alternate construction method according to the federal **Manufactured Home Procedural and Enforcement Regulations (24 CFR 3282.14)** without first notifying the Division in writing and supplying a copy of the alternate construction method approval from the Department of Housing and Urban Development.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.155

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. 1-1-96

918-500-0410

Inspection Request

(1) Requests for inspection from a manufacturer shall:

(a) Be made to the Division by mail, electronic mail, phone or fax transmittal, and received at least five working days prior to the desired time of inspection; and

(b) Indicate the serial number of the manufactured dwelling to be inspected. Inspection fees shall be paid by the manufacturer within 30 days of the billing date.

(2) Requests for inspection from a dealer shall:

(a) Be made on forms supplied by the Division, and received at least five working days prior to the desired date of inspection;

(b) Indicate the location, make, model and serial number of the manufactured dwelling; and

(c) Be accompanied by the minimum inspection fees required by OAR 918-500-0100 and 918-500-0110. All additional inspection fees are payable upon completion of each inspection.

(3) All work shall be accessible for inspection by the authority having jurisdiction.

(4) Occupancy shall not prevent the physical inspection of manufactured dwelling alterations, repairs or installations.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.155

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-500-0420

Notice of Violations

(1) When an inspection reveals that a manufactured dwelling, installation or the equipment violates a provision of ORS Chapter 446, the HUD Standard, the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020 or these administrative rules, the Division shall serve upon the dealer, distributor, installer, contractor, manufacturer or agent there-of a copy of the inspection report giving details of the violations. The Division may also post a Notice of Violation on the manufactured dwelling or equipment.

(2) Violations shall be corrected within 30 days from the date of such notice or at a later date, if approved by the Division.

(3) If the violations are not corrected in the allotted time, the Division may withdraw any previously issued insignia of compliance or certification tags.

(4) The recipient of a Notice of Violation or inspection report shall within 30 days of the date of the notice, inform the Division in writing of the action taken to correct the violations. Persons failing to reply to the Division within 30 days may be subject to the reinspection fees in OAR 918-500-0100(4) and those civil penalties described in ORS 446.270, 446.415 and 446.990. A manufactured dwelling subject to a Notice of Violation shall not be transported without Division approval.

(5) When a Notice of Violation has been posted on the manufactured dwelling or equipment, the notice shall not be removed until authorized by the Division. A Notice of Violation may be removed only by the Division or a person authorized by the Division. **EXCEPTION:** If a Notice of Violation or inspection report has been posted on a manufactured dwelling while in storage and the violations noted were only related to the storage conditions, the manufactured dwelling may be moved to the manufactured dwelling site without notification to or approval from the Division. Under these conditions only, the dealer, distributor or manufacturer may remove the Notice of Violation from the manufactured dwelling.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-

1998, f. 11-9-98, cert. ef. 1-1-99; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-500-0430

Field Technical Service

Any person may request field technical service by submitting the request in writing to the Division; however, the Division may deny the request if budget or staffing levels are not sufficient to provide the service.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0450

Insignia and Label Requirements

(1) All manufactured dwellings constructed on or after June 15, 1976, shall bear an insignia of compliance.

(2) Park trailer type vehicles greater than 320 square feet but less than 400 square feet may be dual labeled by the manufacturer at the time of initial construction as both a park trailer recreational vehicle and a manufactured home if the manufacturer meets all the requirements of OAR 918, divisions 500 and 525, or where the requirements are different, to the more stringent of the two requirements.

(3) Factory built homes may be dual labeled by the manufacturer at the time of initial construction as both a manufactured home and a prefabricated structure if the manufacturer meets all the requirements of **24 CFR 3280** and **3282** and the **Oregon One- and Two-Family Dwelling Specialty Code**, or where the requirements are different, to the more stringent of the two requirements.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.170

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0470

Denial of Insignia

(1) If the Division, after inspection, determines that a manufacturer is not building manufactured dwellings or equipment according to approved plans, the **HUD Standards** or to the minimum safety standards approved by the Division, and after

notification continues to build manufactured dwellings or equipment in violation of ORS Chapter 446 and these rules, applications for new insignia shall be denied and all previously issued insignia shall be returned to or removed by the Division. Upon proof of compliance, satisfactory to the Division, the manufacturer may resubmit an application for insignia.

(2) The Division shall deny all applications for insignia from a manufacturer who is delinquent more than 45 days in paying the fees prescribed in these rules.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.170

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99