

**State of Oregon**

**MANUFACTURED STRUCTURES AND PARKS ADVISORY BOARD**

**Regular Meeting Minutes**

**July 8, 1999**

**MEMBERS PRESENT:** William Peterson, Vice-Chairman  
Michael Erb  
Al Laver  
Charles Lynch  
Jeff Payne  
Bob Schriever  
Roger Severson  
Phillip Sterling

**MEMBERS ABSENT:** Chairman Eames - Excused  
Wallace Fort - Excused  
Kim Kittle - Excused  
Roger McGuckin

**STAFF PRESENT:** Joe Brewer, Administrator  
Dana Roberts, Manager of Statewide Services  
Patrick Lewis, Code Specialist and Board Secretary  
Richard Baumann, Recreational Vehicle Inspector  
Denise Soto, Hearings Officer  
Andrea Sparks, Hearings Officer  
Marilyn Benton, Boards Coordinator/Recorder

**GUESTS PRESENT:** Larry Westling, Northwest Natural  
Don Miner, Oregon Manufactured Home Association (OMHA)

**I BOARD BUSINESS**

**IA Call to Order**

Vice-Chairman Peterson called the Manufactured Structures and Parks Advisory Board to order at 9:30 a.m. The meeting was held at the Building Codes Division, 1535 Edgewater NW, Salem, Oregon.

**I.B Roll Call**

Chairman Eames, Kim Kittle and Wallace Fort were absent (excused).  
Roger McGuckin was absent.

**I.C Approval of Agenda and Order of Business**

The following changes were made to the agenda:

1. Amend Section III.B:  
"III.B(a) MH Installation Monitoring Report - Dana Roberts."  
"III.B(b) Financial Report - Dana Roberts."
2. Add Section III.E: "Idaho Manufactured Home Installation Standard -  
Patrick Lewis."
3. Add Section III.F: "OSU Wind and Seismic Report - Patrick Lewis."

**MOTION** by Roger Severson to approve the agenda as amended.  
**MOTION CARRIED UNANIMOUSLY.**

**I.D Approval of the April 20, 1999, Minutes**

Vice-Chairman Peterson **RULED** the minutes approved as submitted.

**I.E Date of the Next Regularly Scheduled Meeting**

October 14, 1999

**I.F Approval of 2000 Board Calendar**

The dates of the Year 2000 regular board meetings are:

January 13  
April 13  
July 13  
October 12

**MOTION** by Michael Erb to approve calendar.  
**MOTION CARRIED UNANIMOUSLY.**

## **II PUBLIC COMMENT -**

No one indicated a desire to speak.

## **III REPORTS**

### **III. A 1999 Legislative Report - Joe Brewer, Administrator**

*(Heard out of order)*

Mr. Brewer presented a summary of 1999 legislative bills of interest to this board:

Senate Bill (SB) 219 would have allowed local jurisdictions to perform inspections on prefabricated construction. This bill was submitted by the department in a response to an industry proposal (SB 517) that would have basically privatized all prefab inspections. SB 219 was not pursued because the industry did not pursue its legislation after discussion of other legislation.

SB 239A is the Fire Marshal's fee bill with the industry's amendment on LPG license exemptions for manufactured dwelling and recreational vehicle plants, which are inspected and regulated by the Building Codes Division (BCD).

SB 287 is the Department of Consumer and Business Services' (DCBS) fee increase bill, which was passed. This bill received broad-based industry support, though the bill was opposed by the Oregon Building Officials Association (OBOA) and by the League of Cities (LOC). The bill includes a 30% fee increase on structural and mechanical permits sold in areas the division serves around the state, plus a 2% increase in the surcharge.

SB 459 changes the manufactured dwelling park code to an Oregon specialty code, which will provide for consistency.

SB 512C creates a Tri-County Building Service Board and a tri-county metro area service center that is part of BCD. This bill was supported by the industry and opposed by the OBOA and LOC. Amendments were made in concessions to the OBOA and LOC to make the service board's decisions advisory rather than mandatory and also provided for another position on that board.

SB 577 creates a special education fund for the manufactured structures program. This will be a dedicated fund within BCD.

SB 587A creates Chief Inspectors for certain BCD code programs, including the Manufactured Dwelling, Recreational Vehicle, and Structural Programs. This will

streamline some appeals in going to the Chief Inspectors before going to the various boards. The bill also creates a licensing program for third-party providers and allows the division to collect is surcharges on hourly activities. The bill is expected to pass.

SB 882A creates new code for "recreation structures," such as yurts and prefab cabins, under oversight of this board and allows those structures to be used as transient housing.

SB 1088B clarifies responsibilities between landlords and park tenants and requires smoke detectors in all manufactured dwellings in all mobile home and manufactured dwelling parks. Tenants cannot be compelled to relocate their units because of the age of their unit.

HB 2985B assists tenants in purchasing manufactured dwelling parks. The landlord is required to let the tenants know the park is on the market and allows for non-profit entities.

HB 2586 requires ten-year battery type smoke alarms in manufactured dwellings when sold on the secondary market.

Mr. Brewer said there will be an extensive interim study of the building codes process from code adoption through delivery of service at the local level.

Dana Roberts distributed copies of a summary of rule implementation of the federal "Housing for Older Persons Act of 1995" (HOPA) (Pub. L. 104-76, 109 Stat. 797, approved December 28, 1995) (Exhibit "E") which amended requirements for qualifying housing for persons who are 55 years of age or older. Mr. Roberts explained that federal law has changed to allow construction or conversion of mobile home or manufactured dwelling parks designed for older Americans. The division now has authority to create a park specialty code to address that issue.

**Don Minor, OMHA**, commented there will be questions about how the state will interject itself into the local government process to ensure land use planning does not conflict with division building code standards and requirements.

Pat Lewis advised that the Manufactured Dwelling Advisory Committee will meet July 20, 1999. Jim Hinman will represent the Department of Land Conservation and Development (DLCD). The LOC's representative has not been named.

Administrator Brewer commented that under federal House Resolution 710 affordability will take on a new role for the manufactured dwelling industry in addressing the quality of homes built by the industry. Mr. Brewer will report on the bill as it progresses.

### **III. B(a) MH Installation Monitoring Report - Dana Roberts**

It is understood by both the OSU Extension Service and the division that this monitoring program has reached the point where current services are more in line with the division's regulatory responsibilities than with the educational mission of the extension service.

The division considered working with the OSU Extension Service to move responsibility for monitoring manufactured dwelling installations statewide to division staff during the first two quarters of the 1999-2001 biennium. However, one of the employees involved in the program said he was interested in continuing service in southern Oregon and remaining a contract agent with OSU, at less division overhead cost. The final result may be a joint program with one full-time division employee and one person contracting through OSU working two-thirds time, with an estimated savings of \$75,000, at the same level of service provided in the past.

Mr. Roberts distributed copies of the On-Site Installation Monitoring Program Report dated July 1, 1999 (Exhibit "A"). The division is averaging 50 monitoring set-ups per month. Electrical crossover connections are an ongoing problem. Underbelly and roof inspection methods must be improved. Inspectors must get under the house and on the roof to make certain these homes are safe. Ventilation is no longer a problem, but there are problems with pier location. There are anchoring problems because more homes are being anchored.

When the division finds a problem, the homeowner, dealer and installer are notified of the inspection results. A report is not sent to the manufacturer. It is hoped that the dealer informs the manufacturer. However, this information is shared with division in-plant inspectors who communicate with the manufacturers' inspectors. Some crossover connections cannot be disconnected. They snap together. Manufacturers' designs may reduce problems in the field, and Al Rust has advised IPIA inspectors that improved "front-end" design would prevent many installation problems.

### **III.B(b) Financial Report - Dana Roberts**

Mr. Roberts distributed copies of the May 6, 1998, memo from Joan Hader, Administrator of the department's Business Administration Division, regarding interest allocation adjustments (Exhibit "B"). The department, over a three-year period, took \$4.8 million in interest earnings from the Workers Compensation account and incorrectly spread it over other accounts. The manufactured housing program received \$240,000 more in interest earnings than it was entitled to receive, of which \$62,155.42 went the manufactured housing licensing account, and \$178,751.11 to the

manufactured dwelling program account. The BCD parks account received \$3,646.15 and the BCD recreational vehicles account received \$111,285.26.

Those funds were taken back because they were not earned by the programs last biennium and affected the revenue forecast for the last biennium and the new biennium.

The division's budget for the next biennium has been approved. The division did not request additional staffing or services for the manufactured dwelling or recreational vehicle programs.

### **III. C Report on Three-Year Reviews - Patrick Lewis**

#### Manufactured Dwellings:

Based on review by the Manufactured Dwelling Advisory Committee and this board, the division adopted revised Oregon Administrative Rules (OAR) Chapter 918, Divisions 500, 515 and 520, which became effective January 1, 1999.

#### Recreational Vehicles:

Division recommends adoption of revised OAR Chapter 918, Divisions 525 and 530, to become effective September 1, 1999.

Division recommends repealing OAR Chapter 918, Divisions 535 and 540, effective September 1, 1999.

#### Manufactured Dwelling Parks:

Rather than performing a three-year rule review, the division updated current requirements and transferred them to the Oregon Manufactured Dwelling Standard (OMDS) as a new chapter. Tentative adoption date is October 1, 2000.

#### Recreation Parks:

This division, the Health Division, and the Recreation Park Advisory Committee are meeting to perform a three-year review on OAR Chapter 918, Division 650 and OAR 333-29 and 333-31.

#### Organizational Parks:

This division and the Health Division will meet at a later date to perform a three-year review on OAR Chapter 918, Division 650, and OAR 333-20. An interim committee on organizational camps will be appointed.

### **III.D 1999 Continuing Education Report - Patrick Lewis**

Eighteen continuing education classes are being offered in 1999 for the manufactured structures and parks programs:

1. Al Rust, Instructor - Seven manufactured dwelling installation classes to prospective installers and inspectors.
2. Pat Lewis, Instructor - A series of eight classes to one and two-family dwelling and manufactured dwelling inspectors and on alternate manufactured dwelling uses.
3. Pat Lewis, Instructor - Two classes (one class for division staff and one class for local jurisdiction inspectors) to manufactured structure installation inspectors on new park trailer installation standards, which go into effect September 1, 1999.
4. The Recreational Vehicle Industry Association (RVIA) provided a class to all state RV inspectors and quality assurance personnel on recent changes in the national RV codes.
5. The National Conference of States on Building Code Standards/House Building Technology (NCSBCS/HBT) will provide a class on federal manufactured home codes and regulations to all Production Inspection Primary Inspection Agency/State Administrative Agency (IPIA/SAA) inspectors and quality control personnel.

### **III.E Idaho Manufactured Home Installation Standard - Patrick Lewis**

Copies of the "Idaho Manufactured Home Installation Standard were distributed (Exhibit "C"). Oregon and Idaho are in constant communication to set similar standards. Licensing/training reciprocity is intended.

### **III.F OSU Wind and Seismic Report - Patrick Lewis**

Mr. Lewis distributed copies of Edward Torberg, Jr.'s "Vulnerability of Unanchored Manufactured Homes to Wind and Seismic Forces in Oregon" (Exhibit "D"), submitted to the Department of Civil, Construction and Environmental Engineering, Oregon State University. This report has been mailed to the Manufactured Dwelling Advisory Committee. The committee will make its recommendation to the board at a later date.

## **IV COMMUNICATIONS - None.**

## V UNFINISHED BUSINESS

### V.A Review Hearing Officer's Report on Adoption of OAR Chapter 918, Divisions 525 and 530, ANSI A119.2/NFPA 1192-1999, and NFPA 70-1999.

No advisory committee was appointed. Draft rules were sent for review to the Recreational Vehicle Industry Association, Recreational Park Trailer Industry Association, State of Washington, Manufactured Structures and Parks Advisory Board, and the Building Codes Division staff. No testimony was offered at hearing. Patrick Lewis, Program Specialist, provided background information on proposed rule amendments entered into the record.

*Note:*

*Hearings Officer Denise Soto noted that the "Subject" section of her June 18, 1999, memo in the board packet should read: ". . . and repealing Divisions 918-525-0030, 918-535 and 918-540."*

Hearings Officer Soto recommends the following language in **918-525-0020(4)**:

**"If the Division determines that listed or labeled equipment and equipment installations are not adequate for the protection of health, safety and the general welfare, then the Division may revoke the approval for installation in recreational vehicles manufactured, sold, rented, leased or offered for sale, rent or lease in Oregon."**

It was also noted that, in addition to all local, state and federal laws and regulations and the standards identified in the rules, recreational vehicles equipped with fuel transfer/dispensing systems, for sale, rent, lease or offered for sale, rent or lease in Oregon shall conform to specific listing requirements. See **918-525-0040(5)**.

Division recommends review of the Hearings Officer's report and recommendation to the Administrator that the proposed rules and standards be adopted as amended, to become effective September 1, 1999.

Hearings Officer recommends that the Administrator adopt the rules as they were approved for hearing, with the additional consideration of the changes suggested by the Hearings Officer and/or staff.

Roger Severson suggested amending the last line of **918-525-0040(5)(o)** (page 13 - April 7, 1999, draft) to read: ". . . Pamphlet NFPA 70 (1999 edition) for Class 1, Group D, Division ~~21~~."

**MOTION** by Charles Lynch to recommend the Director adopt proposed amendments to OAR 918-525 and 530, repeal OAR 918-525-0030, 918-535 and 918-540, and adopt ANSI A119.2/NFPA 1192/1999 Recreational Vehicle Standards and NFPA 70-1999 National Electrical Code, to become effective September 1, 1999, with the added provision that staff research wording in Section 918-525-0040(5)(o), page 13 of the draft, to determine whether Division "1" or "2" be referred to in that section.  
**MOTION CARRIED UNANIMOUSLY.**

**V.B Appoint Standing Committee for Recreational Vehicles, Parks and Camps ("Recreation Advisory Committee") - Patrick Lewis**

Division recommends appointing a standing committee to assist the division with the development of rules and regulations concerning recreational vehicle, park trailer, recreation park, organizational camp, and picnic park issues with one representative from each of the following stakeholder groups:

Recreational Vehicle Industry Association  
Recreational Park Trailer Industry Association  
Oregon Lodging Association  
Oregon Recreation Parks Association  
American Camping Association  
Christian Camping International  
Good Sam Club  
American Association of Retired Persons  
Disabilities Commission  
Oregon Parks and Recreation Department  
Oregon Building Officials Association  
Department of Environmental Quality  
Department of Transportation  
Department of Land Conservation and Development  
Fire Marshal's Office  
Health Division  
Building Codes Division

**MOTION** by Jeff Payne to recommend the Administrator appoint a standing committee to assist the division with the development of rules and regulations concerning recreational vehicle, park trailer, recreation park, recreational structures, organizational camp, and picnic park issues.  
**MOTION CARRIED UNANIMOUSLY.**

Monte Taylor will represent the division as lead person for Recreational Vehicles and Parks. The standing committee will meet as needed and bring its recommendations to the board.

Mr. Lewis requested volunteers for the committee.

**VI NEW BUSINESS** - None.

**VII ANNOUNCEMENTS**

The Boards Coordinator will distribute information about the next Department of Administrative Services (DAS) orientation for new board members as soon as the material is received. It is expected within the next two weeks.

The Manufactured Dwelling Advisory Committee's final recommendations are expected to be made at the next meeting.

**VIII ADJOURNMENT**

Vice-Chairman Peterson adjourned the meeting at 11:35 a.m.

Respectfully submitted,

Marilyn Benton  
Boards Coordinator/Recorder

*Exhibits:*

- A. On-Site Installation Monitoring Program Report (Agenda III.B(a))
- B. Memorandum on interest allocation adjustments (Agenda III.B(b))
- C. Idaho Manufactured Home Installation Standard (Agenda III.E)
- D. "Vulnerability of Unanchored Manufactured Homes to Wind and Seismic Forces in Oregon" (Agenda III.F)
- E. Summary of final rule implementing the Housing for Older Persons Act of 1995 (Agenda III.A)