

## CHAPTER TWO ALTERNATE MANUFACTURED DWELLING USES

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### 2-1 Alternate Uses

**2-1.1 General.** Manufactured dwellings are constructed, intended, and approved for use as single-family detached dwellings. However, manufactured dwellings may be used as other than single-family detached dwellings when they comply with the provisions of this chapter. Factory-built structures constructed or intended for use for other than a single-family dwelling or those uses permitted in this chapter, shall be built and certified by the Division as prefabricated structures.

**2-1.2 Temporary Sales Offices.** As permitted by **ORS 446.245**, manufactured dwellings may be used as temporary sales offices by manufactured dwelling and recreational vehicle dealers and distributors provided the manufactured dwelling:

- (a) Does not have any design, construction, transportation, fire and life safety, plumbing, mechanical, or electrical alterations made to it by the manufacturer, dealer or distributor to accommodate the office use that would take it out of conformance with the federal **Manufactured Home Construction and Safety Standards** (24 CFR 3280) or this code;
- (b) Has a 36 inch (91 cm) wide by 80 inch (203 cm) high exit door;
- (c) Is accessible to persons with disabilities according to Section 2-3.1 prior to occupancy;
- (d) Is installed and connected to utilities according to this code prior to occupancy;

- (e) Is continuously offered for sale to the public as a manufactured dwelling during the office use; and
- (f) Has a certificate of occupancy issued by the authority having jurisdiction prior to occupancy.

**2-1.3 In-home Business.** As permitted by **ORS 446.245**, a portion of a manufactured dwelling may be used for an In-home business provided:

- (a) The business portion of the manufactured dwelling is restricted to one room only (not including a bath room, entry, or foyer);
- (b) The remainder of the manufactured dwelling is used as a single family dwelling by the same person using it as a business;
- (c) The manufactured dwelling is installed and connected to utilities according to this code prior to occupancy;
- (d) The manufactured dwelling has one 36 inch (91 cm) wide by 80 inch (203 cm) high door exiting to the exterior from the business portion of the manufactured dwelling;
- (e) The type of business and location is approved by the authority having jurisdiction and local planning department prior to installation or occupancy;
- (f) Remains in conformance with the federal **Manufactured Home Construction and Safety Standards** (24 CFR 3280) and all applicable state regulations;
- (g) The business portion of the manufactured dwelling is accessible to persons with disabilities when the business is open to the public or has employees other than family members using the business space; and
- (h) The manufactured dwelling has a certificate of occupancy issued by the authority having jurisdiction prior to occupancy.

**2-1.4 Labor Housing.** Manufactured dwellings may be used for farm worker

housing provided the manufactured dwelling:

(a) Is located in a labor camp as defined in **OAR 437-02-0142** which consists of:

1. Not more than six manufactured dwellings on a lot, parcel or aggregation of lots or parcels according to **ORS 446.055**; or

2. Four or more manufactured dwellings in a manufactured dwelling park, a mobile home park, a temporary manufactured dwelling park, or a combination park according to **ORS 446.003**;

(b) Is not occupied by more than ten persons not related by blood or marriage;

(c) Has a maximum of five bedrooms;

(d) Remains in conformance with the federal **Manufactured Home Construction and Safety Standards** (24 CFR 3280) and all applicable state regulations;

(e) Has operable smoke alarms or detectors located according to Chapter 9 of this code.

(f) is accessible to persons with disabilities, if an affected building.

(g) Is installed and connected to utilities according to this code prior to occupancy;

(h) Conforms to the **Oregon Occupational Safety and Health Code, OAR 437**; and

(i) Has a certificate of occupancy issued by the authority having jurisdiction prior to occupancy.

**2-1.5 Multi-Family Housing.** As permitted by **ORS 446.055**, up to six manufactured dwellings may be placed on a single lot, parcel, or aggregation of lots or parcels and adjoined to give the appearance and economy of multi-family housing provided: (**See Fig. 9-7.1**);

(a) Plans showing the adjoined structures are submitted to and approved by the Manufactured Structures and Parks Chief of the Building Codes Division to verify compliance with the federal

**Manufactured Home Construction and Safety Standards** (24 CFR 3280), the federal **Manufactured Home Procedural Regulations** (24 CFR 3282), and this code;

(b) Land use is approved by the local planning department;

(c) Division-approved plans are submitted and approved by the authority having jurisdiction prior to installation permits being issued;

(d) Each manufactured dwelling is used only as a single-family dwelling;

(e) Each manufactured dwelling remains in compliance with all applicable federal **Manufactured Home Construction and Safety Standards** and state codes;

(f) Fire separation is provided at the wall separating each manufactured dwelling according to Sec 9-7 of this code;

(g) It is located on the property and has fire-resistive protection of exterior walls and openings according to **Section 503** and **Chapter 6** of the **Oregon Structural Specialty Code**;

(h) Each manufactured dwelling is structurally independent of an adjacent manufactured dwelling. However, two manufactured dwellings may be supported by a common foundation wall adequately sized to support both structures;

(i) Each electrical, plumbing, heating, and mechanical system within a manufactured dwelling is independent of the systems within adjacent manufactured dwellings;

(j) The manufactured dwellings are joined only by flashing and weather resistant roofing materials;

(k) These manufactured dwellings are not placed inside a manufactured dwelling park or mobile home park; and

(l) Each manufactured dwelling is installed and connected to individual utility connections according to this code prior to occupancy.

**2-1.6 Group R Occupancies.** Manufactured dwellings accommodating not more than 10 persons may be used as lodging houses, congregate

residences, adult foster homes, or family day care provided the manufactured dwelling:

- (a) Has no design, construction, transportation, fire and life safety, plumbing, mechanical or electrical alterations made to it by the manufacturer, dealer, or distributor to accommodate this occupancy which would take it out of conformance with the federal **Manufactured Home Construction and Safety Standards, 24 CFR 3280** or this code;
- (b) Meets all applicable requirements of **Section 310** of the **Oregon Structural Specialty Code**;
- (c) May be required to be accessible to persons with disabilities, if an affected building;
- (d) Has a minimum of two 36 inch (91 cm) wide by 80 inch (203 cm) high exit doors located remote from each other, exiting to the exterior of the manufactured dwelling;
- (e) Has a minimum of two restrooms;
- (f) Is located on the property meets the minimum setback requirements of the **Oregon One and Two Family Dwelling Specialty Code**;
- (g) Has operable smoke alarms or detectors located according to Chapter 9 of this code.
- (h) Has the occupancy and its location approved by the authority having jurisdiction and local planning department prior to installation or occupancy;
- (i) Is installed and connected to utilities according to this code prior to occupancy; and
- (j) Has a certificate of occupancy issued by the authority having jurisdiction prior to occupancy.

## **2-2 Change of Occupancies**

**2-2.1 Change of Occupancy.** As permitted by **ORS 446.245**, a manufactured dwelling may be converted to another occupancy (use) not specifically addressed in this chapter under the following conditions:

- (a) Application shall be made to the authority having jurisdiction for a change of occupancy;
- (b) If already sited, application shall also be made to the local planning department, for a change of occupancy and possibly a change in land use;
- (c) The manufactured dwelling shall be brought into conformance with the appropriate Oregon specialty codes for the new use and occupancy;
- (d) If an affected building, it shall be made accessible to persons with disabilities.
- (e) Persons converting the manufactured dwelling shall have the appropriate state licenses and registrations required to perform such work;
- (f) The converted structure loses its identity as a manufactured dwelling and the owner or converter shall surrender any state or federal insignias of compliance and/or certification labels to the authority having jurisdiction for return to the Division;
- (g) When required, the converted manufactured dwelling shall have a certificate of occupancy issued by the authority having jurisdiction prior to occupancy.

## **2-3 Accessibility.**

**2-3.1 Temporary Sales Office Accessibility.** All manufactured dwellings used as temporary sales offices as permitted in this chapter shall be made accessible for both employees and the public according to **Chapter 11** of the **Oregon Structural Specialty Code** in the following areas:

- (a) All rooms and all floor levels within the manufactured dwelling that will be used for office use, such as bedrooms, dens, living rooms, family rooms, foyers, entry ways, and hallways shall be accessible.
- (b) Restrooms shall contain a water closet and a lavatory and shall be made accessible. Only one restroom is required to be accessible if the restroom is properly marked as a unisex facility

and provided with a privacy lock. Bathtubs and showers are not required to be accessible if they are not part of the regular office function.

(c) Areas that are not a part of the regular office function, such as the kitchen, utility room, and unused cabinets or clothes closets are not required to be accessible.

(d) One main entry door is required to be accessible. Secondary exterior doors are not required to be accessible. Interior doors that are part of the regular office function shall be accessible.

(e) Appropriate signage shall be provided in all accessible areas, both inside and outside of the office;

(f) Optional drinking fountains, public telephones, furnishings, and similar equipment shall be accessible when provided;

(g) Accessibility from the public way up to the main entry door shall be provided;

(h) An accessible parking area shall be provided near the main entry.

**2-3.2 Other Occupancies.** All manufactured dwellings used for other than residential, temporary sales offices or In-home businesses that are affected buildings under the Americans with Disabilities Act (see Appendix A Definitions, “affected building”) shall be accessible according to the requirements of **Chapter 11** of the **Oregon Structural Specialty Code**.

**2-3.4 Enforcement.** The authorities having jurisdiction shall require compliance to this section according to the following:

(a) Exterior accessibility requirements from the public way up to the manufactured dwelling shall be enforced by the authority having jurisdiction;

(b) Interior accessibility requirements occurring due to a change in occupancy for existing or previously owned manufactured dwellings shall be enforced by the authority having jurisdiction; and

(c) Interior accessibility requirements for new, prior to original sale manufactured dwellings shall be enforced through the Building Codes Division at the time of manufacture or at the time of alteration.

**2-3.5 Occupancy.** No jurisdiction shall issue a certificate of occupancy for, or permit occupancy of, a manufactured dwelling required to be accessible until all appropriate provisions of this Section have been met.