

BOARD OF COUNTY COMMISSIONERS

*Rad Davis
On computer*

KLAMATH COUNTY, OREGON

IN THE MATTER OF REPEALING)	
ORDINANCES NO. 27 AND 27.1)	
AND ADOPTING ORDINANCE NO. 27.2)	ORDINANCE NO. 27.2
REGARDING MANUFACTURED)	
DWELLING PLACEMENT)	
)	

WHEREAS, the Klamath Board of County Commissioners duly adopted Ordinance No. 27 on October 16, 1975, providing for the establishment of a mobile home placement code; and

WHEREAS, the Klamath Board of County Commissioners duly adopted Ordinance No. 27.1 to amend Ordinance No. 27 on June 4, 1982; and

WHEREAS, a request from the Klamath County Building Department has been received to repeal Ordinances No. 27 and 27.1 and replace them with Ordinance No. 27.2 to update terms and regulations to update from mobile home placement terms and regulations to manufactured dwelling placement terms and regulations; and

WHEREAS, the first reading of Ordinance No. 27.2 was held on Wednesday, May 15, 1991, during the regular Action Agenda meeting; and

WHEREAS, the second reading of Ordinance No. 27.2 was held on Wednesday, May 29, 1991, during the regular Action Agenda meeting; and

WHEREAS, the Klamath Board of County Commissioners deems it necessary to repeal Ordinances No. 27 and 27.1 and to adopt Ordinance No. 27.2 to provide for the protection of health, safety and general welfare of its citizens and their property;

NOW, THEREFORE, THE KLAMATH BOARD OF COUNTY COMMISSIONERS ORDAINS AS FOLLOWS:

**CHAPTER 403
MANUFACTURED DWELLING PLACEMENT**

- 403.001 Policy. This Chapter is enacted to protect the health, safety and general welfare of its citizens; protect their property and its value; and provide uniform guidelines for the placement of manufactured dwellings in the unincorporated areas of Klamath County.
- 403.005 Definitions. As used in this Chapter, unless the context requires otherwise, the following terms are defined as follows:

(1) "Board of Appeals", "Building Department" and "Building Official" shall mean Klamath County Citizens' Safety and Building Appeal Board, Klamath County Building Department and the Building Official of Klamath County.

(2) "Manufactured Dwelling" means:

(A) Residential trailer, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

(B) Mobile home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and meets the construction requirements of Oregon mobile home law in effect at the time of construction.

(C) Manufactured home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction.

(D) Does not mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.

(3) "Inspecting authority" or "inspector" means Klamath County, Klamath County Building Official or representatives as appointed or authorized to administer and enforce provisions of ORS 446.111, 446.160, 446.176 to 446.280, 446.990 and this Chapter.

(4) "Installer" means any individual licensed by the agency to install, set up, connect, hook up, block, tie down, secure or support manufactured dwellings or cabanas or who provides consultation or supervision for any of these activities, except architects licensed under ORS 671.010 to 671.220 or engineers licensed under ORS 672.002 to 672.325.

(5) "Minimum safety standards" means the plumbing, mechanical, electrical, thermal, fire and life safety, structural and transportation standards prescribed by rules adopted by Building Codes Agency.

(6) "Recreational vehicle" means a vacation trailer or other unit with or without motive power, which is designed for human occupancy and to be used

temporarily for recreational or emergency purposes, and has a gross floor space of less than 400 square feet. "Recreational vehicle" includes camping trailers, camping vehicles, motor homes, park trailers, bus conversions, van conversions, tent trailers, travel trailers, truck campers and any vehicle converted for use or partial use as a recreational vehicle. The unit shall be identified as a recreational vehicle by the manufacturer or converter.

(7) "Sale" means rent, lease or sale.

(8) "Building Codes Agency" means the Oregon Building Codes Agency under the Department of Housing and Urban Development.

403.050 Sanitation and Safety requirements. These are adopted in accordance with ORS 446.155.

(1) No person may sell or offer for sale within this state a manufactured dwelling manufactured after January 1, 1962, that contains:

(a) Plumbing equipment, unless such equipment meets the requirements of the Building Codes Agency.

(b) Heating equipment, unless such equipment meets the requirements of the State Fire Marshal.

(c) Electrical equipment, unless such equipment meets the requirements of the Building Codes Agency.

(2) No person may rent, lease, sell or offer for rent, lease or sale within this state, a manufactured structure manufactured after September 1, 1969, unless it bears an insignia of compliance and contains:

(a) Plumbing, mechanical and electrical equipment or installations that meet the minimum safety standards of the Building Codes Agency.

(b) Thermal, fire and life safety equipment, material and installations that meet the minimum safety standards of the Building Codes Agency.

(c) Structural and transportation equipment materials, installations and construction that meet the minimum safety standards of the Building Codes Agency.

403.100 Manufactured dwelling placement.

(1) A manufactured dwelling shall not be placed on any site within Klamath County without first having obtained a manufactured dwelling placement permit, issued by the Klamath County Building Department and approved by the Building Official. This provision shall apply each time a manufactured dwelling is relocated.

(2) Manufactured dwellings shall be placed only on foundations and with anchoring and stabilizing devices as required by the Building Codes Agency and this Chapter.

Start here
(3) A manufactured Dwelling Installer's License is required for the placement of all manufactured dwelling installations, within Klamath County, except:

(a) Manufactured dwelling installations performed by the manufactured dwelling owner, or owner's immediate family.

(b) The installation of manufactured dwellings on dealer sales lot, storage lots or distributor's lot.

(4) A manufactured dwelling installer's license is required to install, set up, connect, hook up, support, block, tiedown, or secure manufactured dwellings or cabanas.

(5) Manufacturers set up instructions must be used for installation of manufactured dwellings. Oregon set up instructions can only be used when the manufacturer is no longer in business and the instructions are not available, when the manufacturer's instructions do not address the foundation, when engineering specifications are presented for alternate systems, when the dwelling has been relocated from a private site to another site and the manufacturer's instructions are not available, and when the dwelling was built prior to June 15, 1976, and the manufacturer's instructions are not available.

403.120

Permit Plans and Specifications.

(1) A Manufactured Dwelling, not located in a State of Oregon licensed manufactured dwelling park or on a previously approved site under the Chapter, shall not be placed on any site within Klamath County without the owner or purchaser thereof submitting to the Building Department the following:

(a) Two copies of "Materials Specifications" describing all building materials needed for preparing the site to receive the Manufactured Dwelling.

(b) Two copies of a Site Location Plan including:

(i) Dimensions of the site and north point or compass directions.

(ii) Dimensions of front, rear and side yards.

(iii) Location and dimensions of any additional buildings on the site.

(iv) If they exist, the location of walks, driveways, steps,

terraces, patios, retaining walls and water supply.

(v) Location and dimensions of easements and established setbacks, if any.

(vi) Location and dimensions of sewage disposal system or building sewer line if on a community system.

(vii) Foundations plan drawn to scale, indicating supports, skirting and tiedowns where required.

(viii) Clearances from ground levels.

(2) Attached or detached structures or modifications to the Manufactured Dwelling that are supported on the ground will require separate plans and details and must comply with the Building Code of Klamath County, State of Oregon Building Codes Agency rules and regulations, and this Chapter.

403.200 Minimum Placement Requirements. In addition to requirements of KCC 403.050 to 403.120 all Manufactured Dwellings shall have:

(1) At least 6 inches clearance between ground and any wood portion of the structure unless provisions acceptable to the Building Official are made which will assure protection against damage by decay or insect attack.

(2) Excavation for footings or foundation walls extending at least into firm natural undisturbed soil (except rock) which will provide adequate bearing values for their support. All deleterious and/or organic materials shall be removed from the area under the footings.

(3) The ground level shall be at least 18 inches below the bottom of any floor joists and 12 inches below the bottom of any girder or adequate clearance shall be provided where it is necessary to provide access for maintenance and repair of mechanical equipment located in the under-floor space.

(4) Design snow loads used in the area of placement and the methods of protecting the structure if and when the loads exceed the design load of the structure.

(5) Footings and Foundations as follows:

(a) For Manufactured Dwellings placed with less than 26 inches clearance between the bottom of the structural beams and grade, any system for footings and foundation may be used that equals or exceeds the requirements of the Oregon Building Codes Agency and this Chapter.

(b) For Manufactured Dwellings placed with more than 26 inches but less than 48 inches clearance between the bottom of the structural

beams and grade A foundations and tiedown system approved by the State of Oregon or the Building Official is required. Said system shall comply with the State of Oregon Building Codes Agency rules and regulations and this Chapter.

(c) For Manufactured Dwellings placed with more than 48 inches clearance between the bottom of the structural beams and grade A foundation and tiedown system, approval by the Building Official is required. The Building Official may require the system to be designed by an architect or engineer licensed to practice in Oregon.

(6) Provide drainage so that water will not accumulate under the Manufactured Dwelling.

(7) Subsurface drainage installed adjacent to or under the foundation when deemed necessary by the Building Official to transmit subsurface water away from the Manufactured Dwelling. Said drainage system shall be made of such materials, sizes and shapes as approved by the Building Official.

403.220 Manufactured Dwelling Skirting and Venting.

(1) Manufactured Dwellings shall be fitted with a water-resistant, rodent-resistant, and fire-resistant skirting of material and construction method as approved by the Building Official.

(2) Freezing levels and expansion problems must be considered when installing rigid materials between the ground and the Manufactured Dwelling. Materials and methods shall be approved by the Building Official.

(3) A screened ventilator with a total clear area of 1 square foot must be installed in the skirting within 3'0" of each corner of the manufactured Dwelling. A 24" X 18" door access opening must be installed in the skirting. If the door is screened, it may substitute for one screened vent.

403.300 Safety. Manufactured Dwelling porches and steps shall comply with the minimum requirements of both the Building Codes Agency and this Chapter.

(1) Stairways shall have 30" clear width and may be constructed of 2" nominal thickness wood or its equivalent. The rise of each step shall not exceed 8" and the run shall not be less than 9". Handrails shall be placed on stairs having more than 3 rises, or 2 rises and a change in floor level at the door. Handrails shall be not less than 30" nor more than 34" above the nosing of the treads.

(2) A door may open on the top step of a flight of stairs or on any exterior landing provided the door does not swing over the nosing of the top step or the edge of the exterior landing and the exterior landing is not more than 8" below the floor level.

(3) When a landing platform or porch floor is 24" or more above adjacent finished grade, a railing or guardrail shall be installed.

(4) Porches, steps and other exterior structures above a manufactured dwelling that are supported on the ground must comply with the Building Code.

403.400 Fees.

(1) Set-up fees shall be in accordance with OAR 918-500-100, as approved by the Building Codes Agency.

(2) When the Klamath County Building Department has determined that a person has failed to obtain inspections, permits, labels, insignias, tags, and/or plan reviews when required by the department, the person shall be charged double the amounts required in OAR 918-500-100.

(3) Persons requesting inspections when work is not ready for inspection, causing an inspector to make an additional trip shall be charged reinspection fees of \$85.00 per OAR 918-500-100 (17).

(4) Electrical fees shall be in accordance with ORS 479.845.

(5) Plumbing Fees shall be in accordance with ORS 447.010 to 447.160.

(6) Mechanical Fees shall be in accordance with ORS 455.010 to 455.990.

(7) Surcharges shall be in accordance with OAR 918-500-100 and OAR 918-500-130.

403.500 Utility Hookup. No public utility, gas utility, gas company, people's utility district, electric cooperative or privately-owned electric or gas utility company shall provide service to, change service for, furnish light, water or power to, or connect with any newly placed or relocated manufactured dwelling for which a site permit is required under this Chapter until such manufactured dwelling has been inspected and approved by the Klamath County Building Department and then not until a notice or permit shall have been posted in a conspicuous place on the site.

403.600 Applicability.

(1) This Chapter applies to manufactured dwellings placed on a site or relocated after the effective date of this Chapter.

(2) This Chapter does not apply to camping or recreational vehicles located in a licensed park or to camping or recreational vehicles that remain in a mobile condition.

403.800 Violations. A person shall not:

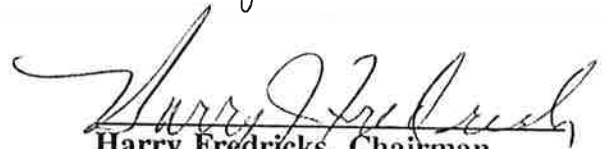
(1) Violate or procure, aid or abet in the violation of any final order concerning the application of a provision of this Chapter in a particular case made by the Building Official or an inspector or the Board of Appeals.

(2) Engage in or procure, aid or abet any other person to engage in any conduct or activity for which a permit or other formal authorization is required by this Chapter without first having obtained such permit or other formal authorization.

403.900 Penalties. Violation of KCC 403.800 shall be punishable by a fine of not more than \$500. In the case of a continuing violation, each day of continuance of the violations is a separate offense.

403.950 Appeals. Any person aggrieved by the final decision of the Building Department as to the application of any provision of this Chapter may, within 30 days after the date of the decision, appeal to the Klamath County Citizens' Safety and Building Appeal Board. The appellant shall submit a fee of \$20.00 payable to the Klamath County Treasurer and submit same together with a completed form of request for appeal to the Building Department.

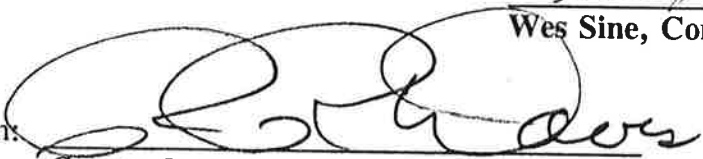
ORDAINED AND DATED this 29th day of May, 1991.


Harry Fredricks, Chairman


Ed Kentner, Commissioner


Wes Sine, Commissioner

Approved as to form:


County Counsel