

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS****Manufactured Housing Section**

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**November 14, 2013****INFORMATION BULLETIN 2013-06 (MH)**

TO: City and County Building Officials
City and County Fire Officials
Manufactured Home Manufacturers
Manufactured Home Dealers
Interested Parties
Division Staff

SUBJECT: Manufactured Home, Mobilehome, and Multifamily Manufactured Housing Fire Sprinkler Systems

This Information Bulletin (IB) is issued to provide an overview of the laws, regulations, and requirements for the installation of fire sprinkler (FS) systems in new and used manufactured homes (MH), mobilehomes, and multifamily manufactured housing (MFMH) containing two dwelling units¹. Additionally, this IB restates the Department of Housing and Community Development's (HCD's) preemptive authority for such systems and provides sample ordinance language that meets the laws and regulations of California. This IB does not replace any previously issued IB or FS system information.

ENFORCEMENT AND AUTHORITY

HCD's authority to regulate FS system design and installation is found in the California Health and Safety Code (HSC) and the California Code of Regulations (CCR). State laws and regulations pertaining to the design and installation of FS systems are located in HSC, Division 13, Part 2, Manufactured Housing Act of 1980 and in CCR, Title 25, Chapter 3, Subchapter 2.

REQUIREMENTS FOR INSTALLATION OF FS SYSTEMS

CCR, Title 25, Division 1, Chapter 3, Article 2.5 establishes requirements for the design and installation of FS systems in MH, mobilehomes, and MFMH when a FS system is *specifically required* for these dwelling units through ordinances² adopted by a local

¹Multifamily manufactured homes are defined in HSC Section 18008.7. These FS System regulations do not apply to MFMH containing more than two dwelling units.

²Suggested language within the body of a local ordinance - "*Fire Sprinkler systems shall be installed in new manufactured homes (HSC Sections 18007 and 18009) and multifamily manufactured homes with two dwelling units (HSC 18008.7) in accordance with Title 25 of the California Code of Regulations.*"

government or authority having jurisdiction or where the purchaser, dealer, or owner elects to install a FS system.

PREEMPTIVE AUTHORITY

HCD's statewide preemptive authority in law is found in HSC, Division 13, Part 2, §18030.5, which states:

§18030.5. A manufactured home, mobilehome, recreational vehicle, commercial coach, or special purpose commercial coach which meets the standards prescribed by this chapter, and the regulations adopted pursuant thereto, shall not be required to comply with any local ordinances or regulations prescribing requirements in conflict with the standards prescribed in this chapter.

AUTHORITY TO PROMULGATE AND ADOPT REGULATIONS

HCD's authority to promulgate and adopt regulations relative to MH, mobilehomes, and MFMH is provided for in HSC, Division 13, Part 2, §18015. This Section clarifies the Legislature's intent for HCD to solely occupy the field of regulating construction and alterations to units by making the application of "this part" (Part 2) statewide and superseding local ordinances in conflict with the provisions of Part 2. HSC §18015 states:

§18015. The provisions of this part apply to all parts of the state and supersede any ordinance enacted by any city, county, or city and county which conflict with the provisions of this part. The department may promulgate regulations to interpret and make specific the provisions of this part relating to construction, titling and registration, occupational licensing, advertising, commercial transactions, and other related or specifically enumerated activities, and, when adopted, these rules and regulations shall apply in all parts of the state. The department may promulgate rules and regulations to interpret and make specific the other provisions of this part and when adopted these rules and regulations shall apply in all parts of the state.

The regulations adopted by HCD in CCR, Title 25, Division 1, Chapter 3, Subchapter 2, Article 2.5, Fire Sprinkler Systems, pursuant to the authority provided in HSC §18015, have statewide preemptive authority. Any FS system requirements enacted by a City or County is prohibited if they are in conflict or more restrictive than the adopted regulations.

CALIFORNIA RESIDENTIAL CODE – NOT APPLICABLE

The fire sprinkler requirements contained in the California Building Standards (CBS) Code, California Residential Code, Title 24, Part 2.5 are "building standards" adopted by the California Building Standards Commission for site-constructed dwellings. The application of building standards to MH, mobilehomes, and MFMH is specially excluded by HSC, Division 13, §18909, which states:

§18909 (g). "Building standard" does not include any regulation, rule, order, or standard that pertains to mobilehomes, manufactured homes, commercial coaches, special purpose commercial coaches, or recreational vehicles.

NATIONAL FIRE PROTECTION ASSOCIATION 13D

HCD referenced the 2010 National Fire Protection Association (NFPA) 13D, "Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes" as the basis for the FS system regulations.

The regulations adopted by HCD in CCR, Title 25, Chapter 2, §4302 reference NFPA 13D, with exceptions as noted in CCR, Title 25, §4302(c), which states:

(c) The following provisions of NFPA 13D are not adopted:

- (1) Chapter 5, section 5.1.3.*
- (2) Chapter 6, section 6.3.2.*
- (3) Section 3.2.1. Approved.*
- (4) Section 3.2.2. Authority Having Jurisdiction (AHJ).*
- (5) Section 3.2.4. Listed.*
- (6) Section 4.2. Hydrostatic Tests.*
- (7) Section 4.6. Smoke Alarms.*
- (8) Section 8.1.3.2. Nonresidential Sprinklers.*
- (9) Section 8.2.3. Nonresidential Sprinklers.*

FIRE FLOW REQUIREMENTS

The use of fire flow requirements to mandate installation of FS systems in manufactured units is addressed by the Government Code (GC), Title 7, Division 1, Chapter 4, Article 2, §65852.4 which specifically prohibits subjecting homes to permit, planning, or development processes or requirements, if such requirements are not identical to conventional housing. GC §65852.4 states:

§65852.4. A city, including a charter city, a county, or a city and county, shall not subject an application to locate or install a manufactured home certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sec. 5401 et seq.) on a foundation system, pursuant to Section 18551 of the Health and Safety Code, on a lot zoned for a single-family residential dwelling, to any administrative permit, planning, or development process or requirement, which is not identical to the administrative permit, planning, or development process or requirement which would be imposed on a conventional single-family residential dwelling on the same lot.

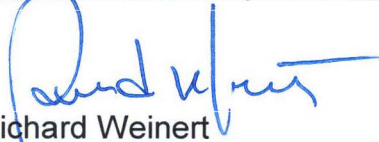
WATER FLOW ALARMS

Under the authority of California HSC §18016, HCD issued a statewide alternate approval (<http://www.hcd.ca.gov/codes/mhp/MHFSSLocalWaterflowAlarmsMemo.pdf>) to exclude the requirement for local water flow alarm installations in FS systems installed in MH, mobilehomes, and MFMH constructed on or after September 16, 2002.

Local water flow alarms for FS systems installed in MH, mobilehomes, and MFMH may be omitted under the following conditions:

- Smoke alarms are installed in accordance with the applicable Federal Manufactured Construction and Safety Standards (MHCSS) Part 3280, §3280.208, and
- FS systems are installed in accordance with CCR, Title 25, Article 2.5, Fire Sprinkler Systems.

Questions or concerns regarding the installation of FS systems in manufactured homes, mobilehomes, or multifamily manufactured homes with two dwelling units should be directed to Kevin Cimini, Manufactured and Factory-built Housing Program Manager at (916) 445-3338, or by e-mail to kcimini@hcd.ca.gov. You may also visit the Manufactured Housing Fire Sprinkler resource webpage at <http://www.hcd.ca.gov/codes/mhp/sprinkler.html>.



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