**EXPRESS TERMS
CALIFORNIA CODE OF REGULATIONS
TITLE 25. HOUSING AND COMMUNITY DEVELOPMENT
DIVISION 1. Chapters 1, 2, and 2.2**

This document uses strikeout and underline to specify text changes. If using assistive technology, please adjust your settings to recognize underline, strikeout, and ellipsis.

**Legend:**

\*Text in single underline is proposed new text.

\*Text in ~~single strikeout~~ is deleted text.

**Title 25. Housing and Community Development**

**Division 1. Housing and Community Development**

**Chapter 1. State Housing Law Regulations and Earthquake Protection Law Regulation**

**Subchapter 3. Employee Housing**

## 1. Amend Section 610. Definitions

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(a) -A-

(1) Agricultural Employer. An “agricultural employer” as defined in Section 1140.4 of the Labor Code.

(d) -D-

(1) Dairy Labor Camp. A labor camp eligible for an exemption pursuant to Section 17031 of the Health and Safety Code.

(e) -E-

(1) Electronic or Electronically. A digital method of conducting business or communicating with the enforcement agency such as by electronic mail (email), internet, web portal, or other digital program or database designated by the enforcement agency.

(2) Employee Community Housing. Employee housing eligible for an exemption pursuant to Sections 17005.5 and 17031.3 of the Health and Safety Code.

(l) -L-

(1) Labor Camp. In addition to the provisions of Health and Safety Code Section 17008, a “Labor Camp” shall include but is not limited to that portion or unit of any housing accommodation or structure which is occupied on a temporary, seasonal, or permanent basis by a total of five (5) or more agricultural workers of any agricultural employer or employers, whether or not such an accommodation or structure is maintained in connection with any work or workplace. Only those dwelling units in an accommodation or structure which, when taken together, are occupied by the five or more employees of any agricultural employer or employers are subject to this subchapter. To the extent that an accommodation or structure containing one or more units subject to this subchapter is also held out for hire to the public, and is therefore generally subject to the State Housing Law (Health and Safety Code Section 17910, et seq.), the units occupied by the five or more employees of any agricultural employer or employers shall be subject to this subchapter; however, if the existence or absence of a particular condition directly or indirectly affects any other tenant of the same structure or accommodation and would be a violation of the State Housing Law, all the units subject to this subchapter shall be subject to the standards of the State Housing Law for the purposes of the existence or absence of that condition.

(m) -M-

(1) Mess Hall Kitchen. A room or portion of a room used or intended to be used as a kitchen in conjunction with a mess hall.

**Note:**

Authority cited: Sections 17003.5 and 17050, Health and Safety Code. Reference: Sections 17005.5, 17008, 17031 and 17040, Health and Safety Code.

## 2. Amend Section 621. Local Assumption of Enforcement Responsibility

(a) The assumption of responsibility for the enforcement of the Employee Housing Act and the provisions of this subchapter by a city, county, or city and county shall be by means of any official ordinance, resolution or minute order of the city council or board of supervisors which shall contain the following information:

(1) The indication of request for assumption of responsibility for the enforcement of the Employee Housing Act and this subchapter.

(2) The name of the agency, department or departments designated responsibility for administration and enforcement.

(3) A statement that the designated local enforcement agency will provide qualified personnel necessary to enforce Part 1 of Division 13 of the Health and Safety Code, and the provisions of this subchapter, consistent with those laws and regulations. The statement shall include the total number of personnel assigned to the enforcement program.

~~(3)~~ (4) The effective date desired for assumption of enforcement responsibilities.

~~(4)~~ (5) The fee schedule to be used by enforcement agency.

(b) ~~Two~~ One certified ~~copies~~ copy of the ordinance, resolution or minute order of the city council or board of supervisors shall be electronically forwarded to the department not less than 180 days prior to the date of desired assumption of enforcement responsibility ~~in order to facilitate the qualification of the appointed enforcement agency~~. Said assumption date shall be designated as either January 1 or July 1 following the notification and the approval by the department.

(c) The department shall acknowledge receipt of the request for assumption of enforcement responsibility and shall advise the local enforcement agency to apply for the approval.

(d) Prior to approval, the personnel designated to perform labor camp or employee community housing inspections shall demonstrate actual inspection capabilities to the satisfaction of the department.

(e) The department shall advise the local jurisdictions of the accepted effective date upon the approval of the inspection personnel. The department will electronically forward to the local jurisdiction a list of all the labor camps and employee community housing with permits to operate on the effective date together with the inspection reports and the pertinent data as required.

(f) Every city, county, or city and county which has been approved by the department for the enforcement of the Employee Housing Act, shall enforce all of the provisions of this subchapter.

(g) Every city, county, or city and county which assumes responsibility for enforcement of the Employee Housing Act shall comply with all of the provisions of chapter 5.5 of this division, beginning with section 5802, regarding verification of the eligibility of applicants for permits to operate labor camps to receive public benefits.

(h) When the local assumption of enforcement responsibility is made by a county or city and county, the following shall be provided to the department electronically:

(1) a list shall be provided to the department that identifies the incorporated cities within the county that are and are not under the control of the county or city and county and

(2) a list of the unincorporated cities that are not and are not under the control of the county or city and county.

(i) A local enforcement agency shall notify the department electronically within thirty (30) days if the local enforcement agency changes any of the following:

(1) its address,

(2) its phone number,

(3) its contact person,

(4) its email address, or,

(5) the incorporated or unincorporated cities within the control of a county or city and county.

~~(h)~~ (j) All local enforcement agencies shall be evaluated by the department annually.

~~(i)~~ (k) The department may revoke its approval of a local enforcement agency for cause.

**Note:**

Authority cited: Sections 17003.5 and 17050, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Section 17050, Health and Safety Code.

## 3. Add Section 621.5 Local Enforcement Agency Cancellation

(a) A local enforcement agency intending to relinquish responsibility for enforcement shall electronically notify the department no less than ninety (90) days prior to initiating the requirements of subsection (b).

(b) A governing body canceling its enforcement responsibility shall complete the following before the transfer is effective:

(1) provide electronic notice to the department not less than ninety (90) days prior to the proposed effective date of the cancellation, along with a copy of the adopted ordinance, resolution, or minute order of the city council or board of supervisors repealing enforcement responsibility; and

(2) remit to the department the appropriate fees, identified in Health and Safety Code section 17036, and in this subchapter, that have not been expended, prior to the transfer of responsibility; and

(3) electronically transfer all facility records required by this subchapter to the department on or before the effective date of the transfer of enforcement responsibility.

(c) When a local enforcement agency has canceled its assumption of responsibility for enforcement and desires to reassume enforcement at a future date, it must reapply in compliance with the requirements contained in section 621.

**Note:**

Authority cited: Sections 17003.5 and 17050, Health and Safety Code.

Reference: Section 17050, Health and Safety Code.

## 4. Amend Section 631. Application for a Permit to Operate a Labor Camp

(a) Application for a permit to operate a labor camp shall be made to the enforcement agency at least 45 days prior to the date of initial occupancy and shall be on the forms ~~supplied~~ required by the enforcement agency and shall contain at least the following information:

(1) The name and address and telephone numbers of the camp owner and operator.

(2) The location of the camp.

(3) Approximate number of occupants to be housed.

(4) A description of the facilities comprising the camp.

(5) Approximate dates of occupancy.

(b) The operator shall obtain an amended permit to operate when there is any change in the foregoing information applicable to the labor camp.

~~(b)~~ (c) The provisions of Section 17032 shall not apply to labor camps owned or operated by railroad corporations. Application for a permit to operate a labor camp owned or operated by a railroad corporation shall be made to the Department of Housing and Community Development within 30 days of initial occupancy and shall contain at least the following information:

(1) The name and address and telephone numbers of the camp owner and operator.

(2) The present location of the camp.

(3) The present approximate number of occupants to be housed.

(4) A description of the present facilities comprising the camp.

(5) Approximate dates of present occupancy. An amended permit shall not be required if there is any change in the foregoing information applicable to the railroad labor camp, provided, however, the railroad corporation shall make such information available to the department upon reasonable request.

~~(c)~~ (d) Every application shall be accompanied by evidence of compliance with all local planning requirements. For the purposes of this section, labor camps having a permit to operate for the preceding year, or registered in accordance with the provisions of the Health and Safety Code in effect prior to January 1, 1975, shall be deemed to comply with the local planning requirements.

~~(d)~~ (e) Application forms, permits to operate, and amended permits to operate issued by a local enforcement agency shall be in conformity with state applications and permits. Whenever a local enforcement agency issues a permit to operate, a copy of the application and permit shall be sent to the Department of Housing and Community Development, Division of Codes and Standards, ~~at its administrative office,~~ by the 10th day of the month following the issuance of the permit to operate.

~~(e)~~ (f) Permit to Operate. Every person intending to operate a labor camp for any period of time within any calendar year shall file an application and submit appropriate fees to the enforcement agency for a permit to operate at least 45 days prior to the date of initial occupancy.

~~(f)~~ (g) When applying for a permit, the applicant stipulates to acceptance of service of any notice or process at the address shown on the application or shall designate otherwise on the permit application.

~~(g)~~ (h) When applying for a permit, the applicant shall present to the enforcement agency documentation necessary to demonstrate the applicant's eligibility to receive public benefits pursuant to chapter 5.5 of this division, beginning with section 5802.

~~(h)~~ (i) When emergency conditions make it necessary to provide emergency living facilities for the work crews, the person responsible for providing such housing shall notify the enforcement agency within five days after occupancy. Fees for the inspection of the emergency living facilities shall be paid as provided in Section 644 for reinspections.

~~(i)~~ (j) An application will not be deemed submitted until it is completed.

**Note:**

Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Sections 17032 and 17033, Health and Safety Code.

## 5. Amend Section 633. ****Exemption for Employee Community Housing****

(a) An application for exemption for employee community housing shall be made to the enforcement agency at least 45 days prior to the date upon which the exemption is desired, and shall be granted by the enforcement agency pursuant to Section 17031.3 of the Health and Safety Code.

(b) An application for exemption accompanied by appropriate fees, as set forth in Section 637, shall be submitted on the forms ~~supplied~~ required by the enforcement agency and shall contain at least the following information:

(1) The name, address, and telephone numbers of the community owner and operator.

(2) The location of the employee housing community.

(3) Exact number of dwellings in the employee housing community.

(4) Designs of facilities comprising the employee housing community.

(5) Other information requested by the enforcement agency relevant to the granting or denial of an exemption pursuant to this section.

(c) The operator shall submit an amendment to the exemption application whenever there is any substantial or material change in the foregoing information applicable to the employee community housing.

(d) An application will not be deemed submitted until it is completed.

(e) When the exemption is granted by a local enforcement agency, the information required by Section 17031.4 shall be submitted to the Department within 30 days after the exemption is granted.

**Note:**

Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17031.3 and 17031.4, Health and Safety Code.

## 6. Amend Section 760. Toilet and Bathing Facilities

(a) An employee housing site first issued a permit to operate prior to February 22, 1973, shall provide one toilet and one bathing facility for every fifteen occupants of each sex.

(1) Each employee housing site shall consist of all accommodations used as specified in Health and Safety Code section 17008.

(2) When calculating this ratio, do not include the following:

(A) a living unit with built–in toilet and bathing facilities, which is occupied by a single family, and

(B) any sleeping area that is not in compliance with the requirements of subdivision (d).

(b) An employee site first issued a permit to operate on or after February 22, 1973, shall provide toilet and bathing facilities for each sex at a ratio not to exceed ten occupants for each toilet and each bathing facility.

(1) Each employee housing site shall consist of all accommodations used as specified in Health and Safety Code section 17008.

(2) When calculating this ratio, do not include the following:

(A) a living unit with built–in toilet and bathing facilities, which is occupied by a single family, and

(B) any sleeping area that is not in compliance with the requirements of subdivision (d).

(c) An enforcement agency may permit different types and ratios of toilet and bathing facilities in temporary and seasonal employee housing, when written approval for each specific type and ratio is provided by the local health officer. The written approval shall be based upon a finding that the type and ratio of toilet and bathing facilities are sufficient to process the anticipated volume of sewage and wastewater, while maintaining sanitary conditions for the occupants of the employee housing.

(d) Toilet and bathing facilities that are counted toward the ratio, as required by subdivisions (a) or (b), shall be located as follows:

(1) Toilet and bathing facilities for temporary and seasonal employee housing, that are not connected to a permanent sewage disposal system, shall be located no closer than fifty (50) feet (15 meters), or more than two hundred (200) feet (61 meters) from sleeping, eating, and/or food preparation areas.

(2) Toilet and bathing facilities discharging to a permanent sewage disposal system shall be located no further than two hundred (200) feet (61 meters) from sleeping, eating, and/or food preparation areas.

(e) Shower wall areas shall be maintained in a cleanable, noncorrosive, and waterproof condition to a height not less than six (6) feet (1.8 meters) above the drain outlet.

(f) The floor of the shower compartment shall slope uniformly to the drain, and the joint around the drain outlet shall be maintained in a water -tight condition.

(g) If urinals are installed in a toilet room ~~designated for men only~~, a single urinal shall substitute for no more than one of every three required toilets.

(h) The floor space to a point one (1) foot (.305 meters) in front of a urinal lip and the wall to a point four (4) feet (1.2 meters) above the floor and at least one (1) foot (.305 meters) to each side of the urinal shall be maintained in a cleanable, noncorrosive, and waterproof condition.

**Note:**

Authority cited: Sections 17040~~(a)~~ and 17050~~(a)~~, Health and Safety Code. Reference: Sections 17021, 17040~~(a)~~ and 17041~~(a)~~, Health and Safety Code.

## 7. Repeal Section 762. Identification

~~Toilets and bathing facilities shall be identified clearly marked for “MEN” or “WOMEN.” The use of the proper symbols will be permitted.~~

**Note:**

Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

**Title 25. Housing and Community Development**

**Division 1. Housing and Community Development**

**Chapter 2. Mobilehome Parks and Installations**

## 8. Amend Section 1002. Definitions

(d) -D-

(1) Deck. Has the same meaning as “porch” as defined in subsection (p)(7).

~~(1)~~ (2) Department. The Department of Housing and Community Development.

~~(2)~~ (3) Dependent Unit. A unit not equipped with a toilet and sewage disposal system. All camping cabins and tents are dependent units.

~~(3)~~ (4) Drain Connector. The extension, from a unit or accessory building or structure drain outlet, to the lot drain inlet.

~~(4)~~ (5) Drain Outlet. The discharge end of a unit or accessory building or structure’s, sewage drainage system.

~~(5)~~ (6) Dry Camp. A camping area where a supply of potable water is unavailable within the camping area.

(e) -E-

…

(7) Electronic or Electronically. A digital method of conducting business or communicating with the enforcement agency such as by electronic mail (email), internet, web portal, or other digital program or database designated by the enforcement agency.

~~(7)~~ (8) Emergency. An occurrence constituting a present or imminent serious risk to life, health, safety, or property requiring immediate correction.

~~(8)~~ (9) Energize. The act of applying electrical energy, or gas or water pressure.

~~(9)~~ (10) Enforcement Agency. The Department of Housing and Community Development, or any city, county, or city and county that has assumed responsibility for the enforcement of this chapter and chapter 2.2 pursuant to sections 18300 and 18865 of the Health and Safety Code.

~~(10)~~ (11) Engineer. A person registered with the State of California as a professional engineer qualified to practice engineering in this state. For purposes of this chapter, an engineer designing or approving plans shall have skill, knowledge, and expertise in that scope of practice.

~~(11)~~ (12) Equipment. All materials, appliances, devices, fixtures, fittings, or accessories used in the structural, fire safety, plumbing, mechanical, and electrical systems of units, accessory buildings and structures, buildings, structures, infrastructures, and systems subject to this chapter.

~~(12)~~ (13) ERBS. The acronym for an earthquake resistant bracing system.

~~(13)~~ (14) ERBS-Manufacturer. A person, firm or business engaged in assembly or construction of earthquake resistant bracing systems for MH-units.

~~(14)~~ (15) ERBS-Manufacturer’s Installation Instructions. The specific written directions for an earthquake resistant bracing system to be installed on or under MH-units.

(f) -F-

…

(8) Forms. The following forms can be electronic or hard copy and are incorporated by reference:

(A) ~~Annual Permit To Operate (local enforcement agency)~~ Local Enforcement Agency Annual Permit to Operate, HCD MP 503B, dated ~~7/04~~ 3/24.

(B) Application ~~For~~ for Alternate Approval, HCD MP 511, dated ~~7/04~~ 3/24.

(C) Application ~~For~~ for Certification ~~Of~~ of Manufactured Home ~~Or~~/ Mobilehome Earthquake Resistant Bracing System, HCD MP 50 ERBS CERT, dated ~~7/04~~ 3/24.

(D) Application ~~For~~ for Permit ~~To~~ to Construct, HCD MP 50, dated ~~7/04~~ 3/24.

(E) Application for Permit to Install ~~Mobilehome/~~Manufactured Home / Mobilehome Earthquake Resistant Bracing System, HCD MP 50 ERBS, dated ~~7/04~~ 3/24.

~~(F) Application For Permit To Operate, HCD 500, dated 7/04.~~

~~(G)~~ (F) Application ~~For~~ for Standard Plan Approval, HCD MP 520, dated ~~7/04~~ 3/24.

~~(H)~~ (G) Certificate of Occupancy, HCD MP 513C, dated ~~7/04~~ 3/24.

~~(I)~~ (H) Floodplain Ordinance Compliance Certification ~~For~~ for Manufactured Home / Mobilehome Installations, HCD MP 547, dated ~~7/04~~ 3/24.

~~(J)~~ (I) Manufactured Home ~~or~~/ Mobilehome Installation Acceptance (Local Enforcement Agency), HCD MP 513B, dated ~~7/04~~ 3/24.

~~(K)~~ (J) Manufactured Home ~~or~~/ Mobilehome Installation Acceptance, HCD MP 513A, dated ~~7/04~~ 3/24.

~~(L) Permit To Operate (local enforcement agency), HCD 500A, dated 7/04.~~

~~(M)~~ (K) Lot Plot Plan and Park Information, HCD MP 538, dated ~~7/04~~ 3/24.

~~(N)~~ (L) Private Fire Hydrant Test ~~And~~ and Certification Report, HCD MP 532, dated ~~01/07~~ 3/24.

~~(O)~~ (M) School Impact Fee Certification, HCD MP 502, dated ~~7/04~~ 3/24.

…

(i) -I-

(1) In-ground Pool. A permanent structure intended for swimming or recreational bathing that contains water over 18 inches deep. In-ground pool includes, but is not limited to, in-ground hot tubs, in-ground spas, and in-ground wading pools.

~~(1)~~ (2) Independent Unit. A unit equipped with a toilet and designed to be connected to a lot sewer inlet.

~~(2)~~ (3) Identification Label. A decal, tag, or label indicating acceptance by the department of a standard plan for an accessory building or structure.

~~(3)~~ (4) Insignia or Label of Approval. A tag or label required pursuant to Health and Safety Code section 18026, or 18027.3 and permanently affixed to each section of a unit indicating compliance with applicable regulations of the department or with the Federal Manufactured Home Construction and Safety Standards, Title 24 of the Code of Federal Regulations, Part 3280.

…

(p) -P-

…

(4) Permanent Building or Structure. Any permanent structure under the control and ownership of the park owner or operator which is not on a lot and is expressly used in the operation of the park such as for the park office, a community center, or park storage facilities. For the purposes of this chapter, “Permanent Building or Structure” includes, but is not limited to, ground-mounted solar systems, solar canopies, and in-ground pools, except as allowed by section 1042(c) of this chapter.

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(r) -R-

…

(3) Recreational Vehicle. A vehicle as defined in section 18010 of the Health and Safety Code and includes a park trailer as defined in Section 18009.3 of the Health and Safety Code. For the purposes of this chapter, Recreational Vehicle shall be limited to a single living quarter and may not contain multiple living quarters on a single chassis.

…

(s) -S-

…

(6) Signed. When required by this chapter to verify a permit, plans, or other document, means use of an original or “wet” stamp or signature, or electronic stamp or signature, or both, of the architect, engineer, or other person verifying the plan, permit, or other document. When such verification is not required by this chapter, an enforcement agency shall not require an original or “wet” stamp or signature, or both.

…

**Note:**

Authority cited: Section 18300, Health and Safety Code. Reference: Section 11445.20, Government Code; and Sections 18007, 18008, 18008.5, 18008.7, 18009.3, 18010, 18013.4, 18200, 18206, 18210, 18213, 18214.5, 18400.1, 18402, 18403, 18404, 18420, 18421, 18513, 18551, 18554, 18603, 18610, 18612, 18613, 18613.4, 18613.5, 18613.7, 18630, 18640, 18670, 18690, 18691, 18909, 19996 and 19977, Health and Safety Code.

## 9. Amend Section 1004. Local Enforcement

(a) Assumption of responsibility for the enforcement of Parts 2.1 and 2.3 of Division 13, of the California Health and Safety Code and the provisions of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2, relating to enforcement within parks by a city, county, or city and county, shall be by means of an ordinance, resolution, or minute order of the city council or board of supervisors which shall contain the following information and be subject to department approval:

(1) Indication of assumption of responsibility for enforcement of the Health and Safety Code, Parts 2.1 and 2.3 of Division 13, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

(2) Name of the agency or agencies delegated enforcement responsibilities.

(3) A statement that the designated local enforcement agency will provide qualified personnel necessary to enforce Parts 2.1 and 2.3, of Division 13 of the Health and Safety Code, and the provisions of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2 consistent with those laws and regulations. The statement shall include the total number of personnel assigned to the enforcement program.

(4) One copy of any contract, memorandum of understanding, or other document governing delegation of responsibilities and services to a local government agency other than the local government assuming responsibility for Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

(5) Adoption of the applicable schedule of fees contained in the provisions of Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

~~(A)~~ (6) A statement adopting the state program and objectives as contained in Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

~~(B)~~ (7) A description of existing parks within the local jurisdiction, including conditions and type of park.

~~(C)~~ (8) Specific local objectives, program plan and timetable designed to achieve enforcement compliance.

(9) When the local assumption of enforcement responsibility is made by a county or city and county, the prospective local enforcement agency shall provide:

(A) a list of the incorporated cities within the county that are not under the control of the county or city and county and

(B) a list of the unincorporated cities that are under the control of the county or city and county.

~~(6)~~ (10) Effective date of assumption of enforcement.

(b) One certified copy of the ordinance, resolution, or minute order of the city council or board of supervisors shall be forwarded ~~to the Administrative Office of the Division of Codes and Standards, P.O. Box 1407, Sacramento, CA 95812-1407~~ to the department electronically, not less than thirty (30) days before the designated effective date of assumption of enforcement.

(c) A statement that the following forms provided by the department will be used:

~~(1) HCD 500A, Application for Permit to Operate;~~

~~(2)~~ (1) ~~HCD 503B Annual Permit to Operate;~~ Local Enforcement Agency Annual Permit to Operate, HCD MP 503B, dated 3/24, which is incorporated by reference;

~~(3)~~ (2) ~~HCD 513B, Manufactured Home or Mobilehome Installation Acceptance;~~ Manufactured Home / Mobilehome Installation Acceptance (Local Enforcement Agency) HCD MP 513B, dated 3/24, which is incorporated by reference.

~~(4)~~ (3) ~~HCD MP 513C, Certificate of Occupancy~~ Certificate of Occupancy, HCD MP 513C, dated 3/24, which is incorporated by reference.

(d) The department shall determine the local agency's knowledge and ability to apply the requirements of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2, and the applicable Health and Safety Code requirements. The department's determination may include, but is not limited to, verification of the local agency's ability and knowledge through performance of activities that may include inspection, records review, and interviews of assigned personnel.

(e) Upon completion of the transfer, the new ~~enforcing~~ enforcement agency shall electronically notify~~, in writing,~~ the parks within its jurisdiction of the change in enforcement and the designated department or departments responsible for enforcement and permit issuance.

(f) Every enforcement agency shall comply with the verification of eligibility to receive public benefit requirements of Title 25, California Code of Regulations, Division 1, Chapter 5.5, commencing with section 5802, of applicants for permits to operate mobilehome parks or special occupancy parks.

(g) Notwithstanding the provisions of section 1005.5 of this article, in order to ensure that the orderly transition of assumption of enforcement occurs when a park, or permanent building within a park, is under construction, the enforcement responsibilities for that construction shall be transferred, as well as all pertinent information pertaining to that construction including, but not limited to, plans, calculations, testing information, inspection reports and correction notices, on the date as determined by the department.

(h) The local enforcement agency shall ~~send~~ electronically submit to the department a copy of each permit to operate it has renewed, within thirty (30) days after renewal ~~to the department's Division of Codes and Standards, at the address designated by the department at the time of assumption~~.

(i) When a local enforcement agency proposes changes in the local division or personnel responsible for enforcing the provisions of this chapter, Chapter 2.2 and sections 18200 through 18874 of the Health and Safety Code, that agency shall electronically notify the department at least thirty (30) days prior to the proposed date of the changes. The department may perform a reevaluation to determine whether the personnel have the required knowledge and ability as required in subsection (d) of this section.

(j) ~~When a local enforcement agency changes:~~ A local enforcement agency shall notify the department electronically within thirty (30) days if the local enforcement agency changes any of the following:

(A) its address,

(B) phone number, ~~or~~

(C) contact person,

(D) email address, or,

(E) the incorporated or unincorporated cities within the control of a county or city and county~~, it shall notify the Administrative Office of the department in writing within thirty (30) days of the change~~.

**Note:**

Authority cited: Sections 18300, 18613 and 18865, Health and Safety Code. Reference: Title 8 U.S.C. Sections 1621, 1641 and 1642; and Sections 18207, 18300, 18505, 18506, 18613 and 18865, Health and Safety Code.

## 10. Amend Section 1005. Local Government's Cancellation of Enforcement Responsibility

(a) An enforcement agency intending to relinquish responsibility for enforcement ~~authority~~ shall ~~advise~~ electronically notify the department, no less than ninety (90) days prior to initiating the requirements of subsection (b).

(b) A governing body canceling its enforcement responsibility shall complete the following to the department's satisfaction before the transfer is effective:

(1) provide written electronic notification to the department not less than ninety (90) days prior to the proposed effective date of the action, along with a copy of the adopted ordinance, resolution, or minute order of the city council or board of supervisors repealing enforcement responsibility; and

(2) remit the appropriate fees to the department as identified in section 1006 of this article on or before the date of transfer of responsibility; and

(3) electronically transfer all park records to the department on or before the effective date of the transfer of enforcement responsibility.

(c) When the local agency cancels its enforcement responsibility for this chapter, its responsibility for enforcement of chapter 2.2 of this division is also cancelled.

(d) When a local enforcement agency has canceled its assumption of responsibility for enforcement and desires to reassume enforcement, it must reapply in compliance with the requirements contained in section 1004 of this article.

**Note:**

Authority cited: Sections 18300 and 18865, Health and Safety Code. Reference: Sections 18207, 18300 and 18865, Health and Safety Code.

## 11. Amend Section 1006.5. Permit to Operate Required

(a) No person shall operate a park, or a portion of a park, or rent, lease, sublease, hire out, or let out for occupancy any new or existing lot in a park without a current permit to operate issued by the enforcement agency.

(b) Original or amended permit to operate applications submitted to the enforcement agency shall contain the following information:

(1) Department issued park identification number

(2) Type of park:

(A) Mobilehome park

(3) Type of permit requested:

(A) Original or;

(B) Amended

(i) Change in operator or manager

(ii) Change of name or address

(iii) Change in Number of Lots

(iv) Transfer of park ownership

(a) When a park transfers ownership from one owner to a new owner, a copy of the recorded property deed with the new owners name shall be provided.

(4) Total number of lots, including:

(A) Number of mobilehome lots

(B) Number of special occupancy lots with drains

(C) Number of special occupancy lots without drains

(5) Conditional uses

(A) Number of lots with an electrical system designed exclusively for 50 amperes

(B) Number of lots with an electrical system designed exclusively for 30 amperes

(C) Number of lots with an electrical system designed for any other amperes

(6) Park name

(7) Park physical address

(8) Park phone number

(A) Incorporated or unincorporated jurisdiction

(9) Owner’s information

(A) Legal name

(B) Phone number

(C) Mailing address

(D) Email

(10) Operators information, if different from owner

(A) Legal name

(B) Phone number

(C) Mailing address

(D) Email

(11) Manager information, if different from operator

(A) Legal name

(B) Phone Number

(C) Mailing address

(D) Email

(E) Manager hire date

(12) Owner certification and signature under penalty of perjury under the laws of the State of California that the information provided is true and correct.

(c) If a park’s permit to operate is expired for failure to renew for twelve (12) or more consecutive months, the park may be subject to fines and penalties by the enforcement agency, as identified in section 18700 of the Health and Safety Code, and the park’s permit to operate may be suspended by the enforcement agency pursuant to section 18510 of the Health and Safety Code.

**Note:**

Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18500, ~~and~~ 18505, 18510 and 18700, Health and Safety Code.

## 12. Amend Section 1010. Permit to Operate—Construction Completed

(a) Upon final approval by the enforcement agency of the construction of lots and facilities, the applicant shall submit an application for a permit to operate, or amended permit to operate, ~~on a form designated by the department in~~ including information in section ~~1002~~ 1006.5 of this article, together with appropriate fees as specified in sections 1008 and 1009 of this article, to the enforcement agency. The designated ~~form~~ application shall be submitted as follows:

(1) When the department is the enforcement agency, the applicant shall submit the application for permit to operate to the department. Upon approval of the application by the department, an annual permit to operate shall be issued to the applicant.

(2) When a local enforcement agency has enforcement responsibilities, the applicant shall submit the application to that agency. Upon approval of the application by the local enforcement agency, that agency shall provide one copy of the approved application to the applicant and, within five (5) working days after approval, one copy, along with the state fees required by section 1008 of this article, to the ~~Division of Codes and Standards, P.O. Box 1407, Sacramento, CA 95812-1407~~ department electronically. The Division of Codes and Standards shall issue the initial permit to operate within ten (10) working days of receipt of the approved application. The department shall provide copies of the permit to operate to the applicant and the local enforcement agency. Subsequent years' annual permits to operate shall be issued by the enforcement agency.

**Note:**

Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18502 and 18505, Health and Safety Code.

## 13. Amend Section 1012. Department Copies of the Annual Permit to Operate and Related Fees

(a) Local enforcement agencies shall electronically send a copy of each issued annual permit to operate to the Division of Codes and Standards within thirty (30) days following its issuance.

(b) All local enforcement agencies shall forward to the Division of Codes and Standards, the state fees paid by the applicant pursuant to section 1008 of this article within thirty (30) days of receipt.

(c) The department shall provide a supply of the annual permit to operate forms and application for permit to operate ~~forms~~ to any requesting local enforcement agency ~~making a request for the forms~~.

**Note:**

Authority cited: Section 18300, Health and Safety Code Reference: Sections 18502, 18502.5, 18505 and 18506, Health and Safety Code.

## 14. Amend Section 1013. Emergency Preparedness Plans

(a) Every park shall adopt an emergency preparedness plan and notify park residents how to obtain a copy of the plan. In order to obtain a permit to operate, the information in subsections (c) and (d) must be submitted to the enforcement agency upon renewal of a permit to operate after September 10, 2010, or the issuance of the initial permit for a new park, whichever comes first.

(1) After a plan is approved by the enforcement agency, it is not necessary to provide the enforcement agency with future copies unless conditions described in the plan have changed (e.g. roadway changes, addition of lots, floodplain changes, etc.).

(b) The emergency preparedness plan shall be one of the following:

(1) adopting the emergency plans and procedures contained in the Standardized Emergency Management System Advisory Board's booklet of November 21, 1997, entitled “Emergency Plans for Mobilehome Parks,” published by the former Office of Emergency Services or any subsequent version published by the California Governor’s Office of Emergency Services, or

(2) a plan developed by park management comparable to the plans and procedures contained in the booklet described in subparagraph (1) above.

(c) Documentation submitted to the enforcement agency to obtain a permit to operate shall include at a minimum of the following:

(1) a copy of the plan available to the residents;

(2) the location of the posted notice in the park describing how the residents may obtain the plan;

(3) a copy of the notice distributed to residents that identifies additional state and local agencies' individual emergency preparedness information including, but not limited to, the ~~California Emergency Management Agency~~ California Governor’s Office of Emergency Services;

(4) written verification by the park operator that all residents have received written notification on how to obtain a copy of the plan and the information required in subsection (c)(3).

(d) At a minimum the following items should be included in a park's emergency preparedness plan to be deemed consistent with or comparable to the “Emergency Plans for Mobilehome Parks” booklet, the standard defined in Health and Safety Code 18603.

(1) Maps showing evacuation routes out of the park including all exits and alternate routes and exits.

(2) The elevation of the park property if the park is in a floodplain.

(3) Type of disasters common to the area.

(4) How residents may obtain a copy of the plan.

(5) General information regarding types of disasters such as floods, earthquakes, fires, and other emergencies.

(6) Contact information for emergency government agencies including the ~~California Emergency Management Agency (CalEMA)~~ California Governor’s Office of Emergency Services, local fire and police department and community assistance organizations such as the American Red Cross, or other emergency agencies' contact information.

(7) Local emergency broadcast station frequencies.

(8) Information on how residents may obtain additional materials for establishing an individual household emergency plan, individual household emergency supply kits, and individual home safety recommendations.

(e) Park management is not responsible for physically evacuating residents from their homes and park residents must take personal responsibility for themselves during an emergency. Residents that may need assistance in the event of an evacuation should make prior arrangements to have that assistance available.

**Note:**

Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18500 and 18603, Health and Safety Code.

## 15. Amend Section 1018. Permits Required or Not Required

(a) No person shall erect, construct, reconstruct, install, replace, relocate or alter any building, structure, accessory building or structure, or building component; any electrical, mechanical, or plumbing equipment; any fuel gas equipment and installations, or fire protection equipment; or installations of, or within, a park, or a lot, or perform any non-load bearing grading or area fill with a depth of one (1) foot or greater, unless exempted from obtaining a grading permit pursuant to Appendix J of the California Building Code, without first obtaining a written construction permit from the enforcement agency.

(b) No person shall create or change a lot line within a park without first obtaining a permit from the enforcement agency pursuant to the requirements of section 1105 of this chapter.

(c) Any person issued a notice indicating violations pursuant to this section, shall obtain the required permit from the enforcement agency and provide the appropriate fees as prescribed in this article.

(d) The enforcement agency shall not require a permit to construct for the following work, when the construction is performed in a workmanlike manner, does not present a hazard, and otherwise complies with the requirements of this chapter:

(1) Minor maintenance and repair including the replacement of existing utility metering devices.

(2) Previously installed portable air conditioning equipment reinstalled with the unit installation.

(3) The installation of a storage cabinet on a lot.

(4) Construction or installation of a stairway having a landing not to exceed twelve (12) square feet.

(5) A landing not more than twelve (12) square feet in area.

(6) Construction or installation of a window or door awning.

(7) Construction or installation of removable insect screening, flexible plastic or canvas type material used as ~~an~~ a temporary awning or as temporary awning or carport enclosures.

(8) Construction or installation of a retaining wall less than four (4) feet in height measured from the bottom of the footing to the top of the wall, unless it is supporting a surcharge load.

(9) Construction or installation of a patio, as defined in section 1002(p)(3).

(10) Fences not over ~~six (6)~~ seven (7) feet high.

(11) Canvas or cloth awnings provided they meet the setback and separation requirements for combustible materials contained in section 1428 of this Chapter.

**Note:**

Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18500, 18507, 18551, 18610, 18610.5 and 18613, Health and Safety Code.

## 16. Amend Section 1020.6. Application Requirements for Permits for Park Construction or Alteration

(a) This section applies to any person submitting an application pursuant to section 1018, for a permit to construct or alter any of the following:

(1) A park;

(2) An addition to a park;

(3) An alteration to a park;

(4) A permanent building in a park;

(5) An accessory building or structure without a standard plan approval.

(b) A person who is required to obtain a permit to construct, pursuant to section 18500 of the Health and Safety Code, shall submit an application for a permit to construct to the enforcement agency, with the appropriate fees as specified in section 1020.7 of this article, on the form prescribed by that agency.

(c) A person submitting an application pursuant to this section, shall submit three (3) complete sets of plans and specifications or installation instructions, in compliance with section 1034 of this chapter.

(d) Applications for permits to construct, alter or enlarge a park, or ~~by installing~~ install a multifamily manufactured home(s), shall be submitted with written evidence of compliance with the California Environmental Quality Act (Public Resources Code Division 13, commencing with section 21000) and written evidence of approvals by all of the following:

(1) the local planning agency;

(2) the local health, fire, and public works departments;

(3) the local department responsible for flood control;

(4) the serving utilities; and

(5) any other state or federal agency or special district that has jurisdiction and would be impacted by the proposed construction.

**Note:**

Authority cited: Sections 18300, 18502.5 and 18503, Health and Safety Code. Reference: Sections 18500, 18501, 18502, 18502.5, 18503 and 18610, Health and Safety Code; and Section 21000, Public Resources Code.

## 17. Amend Section 1032. Permit Applications—Required Approvals

(a) All applications for permits to construct shall be submitted on the designated form provided by the enforcement agency.

(b) Applications for permits to construct, alter or enlarge a park by adding lots, or install a multifamily manufactured homes(s), shall be submitted with written evidence of compliance with the California Environmental Quality Act (Public Resources Code Division 13, commencing with section 21000), and written evidence of approvals by all of the following:

(1) the local planning agency,

(2) the local health, fire, and public works departments,

(3) the local department responsible for flood control,

(4) the serving utilities, and

(5) any other public agencies having jurisdiction over the activity contained in the permit application.

(c) Park operator approval is required on all applications for a permit to construct, reconstruct or alter the park electrical, fuel gas, plumbing, or fire protection equipment or installations.

(d) Park operator approval is required with all applications for a permit to install an MH-Unit, or to alter an MH-Unit located in a park, if the alteration would affect the electrical, fuel gas or plumbing system of the park.

(e) Park operator approval is required on all applications for permits to construct, reconstruct, install or alter an accessory building or structure or building component to be located or proposed to be located within a park.

(f) Written evidence of applicable local approvals ~~may be~~ is required for permanent buildings or structures, when the installation or construction ~~may~~ impacts local services.

**Note:**

Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18406 and 18501, Health and Safety Code; Section 21082, Public Resources Code; and Title 14 CCR Section 15050.

## 18. Amend Section 1038. Extension of Permit to Construct

## Section 1038. ~~Extension of~~ Permit to Construct Expiration and Extension

~~(a) A permit to construct may be extended up to three (3) times during the life of a construction project. Each extension shall be limited to six (6) months. Only one extension of a permit to construct shall be granted if work described in the permit has not commenced. No permit to construct shall be extended more than two years from the date of issuance of the initial permit to construct.~~

~~(b)~~ ~~Where a permit to construct has expired, all work shall cease until a valid permit to construct has been issued by the enforcement agency. A reapplication need not be accompanied by plans and specifications or installation instructions where:~~

~~(1) construction is to be completed in accordance with plans filed with the initial permit to construct; and~~

~~(2) the approved plans are made available to the enforcement agency during the construction; and~~

~~(3) plans were approved less than two (2) years prior to the request for extension.~~

~~(c) Fees paid for a permit to construct shall be forfeited to the enforcement agency~~ ~~if the applicant does not start construction within six (6) months of the date of issuance of the permit, or upon expiration of the permit where work has commenced and no extension has been granted pursuant to subsection (a).~~

(a) A permit to construct shall expire six (6) months after it has been issued by the enforcement agency under the following conditions:

(1) No work described in the permit to construct has commenced, and no request for an extension was made by the applicant.

(2) No progress inspection or final inspection was requested by the applicant and completed by the enforcement agency.

(b) At the sole discretion of the enforcement agency, one extension may be granted for a period not to exceed six (6) months.

(c) When a permit to construct has been issued and progress inspection(s) have been completed by the enforcement agency prior to expiration as specified in subsection (a), the permit to construct may be extended by the enforcement agency for a period not to exceed two (2) years from the date of issuance of the initial permit to construct.

(d) Permit to construct applications submitted to the enforcement agency that are incomplete or remain deficient for six (6) months from the initial date received shall be deemed invalid and closed.

(e) Fees paid for a permit to construct shall be forfeited to the enforcement agency if the permit to construct is expired or invalid pursuant to this section.

**Note:**

Authority cited: Section 18300, Health and Safety Code. Reference: Section 18509, Health and Safety Code.

## 19. Amend Section 1042. Swimming Pools

(a) The enforcement agency shall be responsible for the plan review, permitting and inspection of in-ground pools within mobilehome parks. The applicable local environmental health agency shall have the ability to apply their own authority for plan review and approval for proposed in-ground pools in mobilehome parks.

(b) Construction, safety features, and barrier~~s~~ standards for public and private swimming pools constructed within a park are contained in the California Building Code.

(c) In-ground pools shall not be installed on lots within mobilehome parks except when the lot is subdivided for individual ownership.

**Note:**

Authority cited: Section 18300, Health and Safety Code. Reference: Section 18610, Health and Safety Code.

## 20. Amend Section 1102. Responsibility

(a) The owner, operator, or the designated agent for the park shall be responsible for the safe operation and maintenance of all common areas, park-owned electrical, gas, and plumbing equipment and their installations, and all park-owned permanent buildings or structures, within the park. When not owned by the serving utility, the park is responsible for lot services to include the gas riser, water riser, lot drain inlet and the electrical pedestal. The unit owner is responsible for the connections to those utilities.

(b) The owner of a unit, its appurtenances, an accessory building or structure, or building component shall be responsible for the use and maintenance of the unit, its appurtenances, accessory building or structure, or building component and utility connections up to the lot services in compliance with the requirements of this chapter.

(c) Any person obtaining a permit to construct shall be responsible for the construction or installation in accordance with the requirements of this chapter.

(d) The operator of a park shall not permit a unit, accessory building or structure, building component, or any park utility to be constructed, installed, used, altered, or maintained in the park unless constructed, installed, used, altered, or ~~and~~ maintained in accordance with the requirements of this chapter.

(e) Procedures related to notice of violation and responsibilities to abate violations are set forth in article 10, commencing with section 1600 of this chapter.

**Note:**

Authority cited: Section 18300, Health and Safety Code. Reference: Sections 18400, 18401, 18402, 18552 and 18603, Health and Safety Code.

## 21. Add Section 1123. General Lot Access

Section 1123. General Lot Access.

(a) Lot utilities shall not be placed in an area that obstructs access to any portion of the lot.

(b) Stairways may be installed pursuant to section 1428(d) but shall not be installed in any configuration that prevents access to any portion of the lot or lot utility equipment.

**Note:**

Authority cited: Sections 18300 and 18691, Health and Safety Code. Reference: Sections 18610 and 18691, Health and Safety Code.

## 22. Amend Section 1185. Electrical Appliances, Equipment, and Air Conditioning

(a) When electrical equipment or fixed appliances are installed to serve a unit, an accessory building or structure, or building component, the installation shall be supplied by one of the following methods:

(1) By an individual branch circuit from the unit terminating in a single outlet or junction box, provided a permit is obtained from the department for the alteration to the unit. An alteration permit shall be obtained from the department pursuant to the requirements of Title 25, California Code of Regulations, Chapter 3, section 4042.

(2) By means of a permanent wiring method to the lot electrical service equipment, provided the lot service equipment is designed and listed for the additional load.

(b) When central air–conditioning equipment is proposed to be installed on a unit which was not originally designed for central air conditioning, an alteration permit shall be obtained from the department pursuant to the requirements of Title 25, California Code of Regulations, Chapter 3, section 4042. A permit to alter the unit is required, provided the unit bears or is required to bear the department’s insignia of approval, or a HUD label of approval.

(c) If the park electrical system or the feeder supplying the lot electrical service equipment does not have the ampacity to supply the air–conditioning equipment in addition to its connected load, a permit to construct, as required in section 1018 of this chapter, shall be obtained for alteration of the required service supply and equipment.

(d) ~~All electrical appliances and equipment not located within enclosed weatherproof structures must be approved for use in wet locations.~~ Water heating equipment may be installed in an approved freestanding compartment outside and adjacent to the unit if such equipment is listed for exterior use and is installed in accordance with the manufacturer’s installation instructions, and this chapter. No other newly installed appliance serving the MH-unit shall be installed outside of the unit.

**Note:**

Authority cited: Sections 18300 and 18670, Health and Safety Code. Reference: Sections 18550 and 18670, Health and Safety Code.

## 23. Amend Section 1317. Private Fire Hydrant Test and Certification

(a) Verification of Private Fire Hydrant Test and Certification. The Private Fire Hydrant Test and Certification Report, a form defined in section 1002 of this chapter, shall be used to verify that private fire hydrants have been tested and certified for operation and water flow. All park operators shall submit the form~~, including parks that qualify for testing exceptions,~~ to the enforcement agency for the park. Parks without private fire hydrants shall submit a private fire hydrant test and certification form to the enforcement agency to establish the testing exception. After the exemption is approved by the enforcement agency, no annual reporting of the exemption is required unless any conditions described in the exemption change.

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**Note:**

Authority cited: Sections 18300, 18610 and 18691, Health and Safety Code. Reference: Section 18691, Health and Safety Code.

## 24. Amend Section 1426. Accessory Buildings or Structures and Building Components Installed in Fire Hazard Severity Zones

(a) Accessory buildings or structures or building components constructed or installed in parks in a State Responsibility Area Fire Hazard Severity Zone or a local Very-High Fire Hazard Severity Zone, as indicated on the California Department of Forestry and Fire Protection’s Fire Hazard Severity Zone Maps, shall comply with Title 24, Part 2.5,

Chapter 3, section ~~R327~~ R337 of the California Residential Code (CRC) which is hereby incorporated by reference with the exception of ~~the following provisions: Sections R327.1.5, R327.2 (Fire Protection Plan,~~ provisions related to Vegetation Management Compliance and Alternates for Materials, Design, Tests and Methods of Construction.~~) and R327.3.6~~.

(b) Accessory buildings or structures or building components constructed or installed outside of parks in a State Responsibility Area Fire Hazard Severity Zone, a local Very-High Fire Hazard Severity Zone, or a local Wildland-Urban Interface Fire Area shall comply with the provisions of the CRC, Title 24, Part 2.5, Chapter 3, section ~~R327~~ R337.

**Note:**

Authority cited: Sections 18300 and 18691, Health and Safety Code. Reference: Section 18691, Health and Safety Code.

## 25. Amend Section 1514. Fence Height and Location

(a) A fence located on a lot shall not exceed ~~six (6)~~ seven (7) feet in height.

(b) A fence exceeding forty–two (42) inches in height, parallel to a unit or habitable accessory building or structure or building component, shall not be located closer than three (3) feet to that unit, habitable accessory building or structure, or building component.

**Note:**

Authority cited: Sections 18300, Health and Safety Code. Reference: Sections 18552 and 18610, Health and Safety Code.

## 26. Add Section 1609. General and Administrative - Substandard Conditions and Nuisances

1609. General and Administrative - Substandard Conditions and Nuisances

(a) Any of the following conditions shall be deemed substandard and a nuisance when they endanger the life, limb, health, property, safety, or welfare of the occupants or the public.

(1) A park owner, operator, or designated agent that has failed to renew their permit to operate and the permit is expired.

(2) A park owner, operator, or designated agent’s failure to provide access to potable water for all park residents.

(3) A park owner, operator, or designated agent’s failure to comply with their responsibility pursuant to section 1102 of this chapter.

(4) A unit owner’s failure to comply with their responsibility pursuant to section 1102 of this chapter.

(5) Any violation of this chapter when a notice of violation has been issued by the enforcement agency and remains uncorrected for six (6) or more months.

(6) A nuisance as defined in subsection 1002.

**Note:**

Authority cited: Sections 18300, Health and Safety Code. Reference: Sections 18402, 18404, 18500 and 18550, Health and Safety Code.

**Title 25. Housing and Community Development**

**Division 1. Housing and Community Development**

**Chapter 2.2. Special Occupancy Parks**

## 27. Amend Section 2002. Definitions

…

(d) -D-

(1) Deck. Has the same meaning as “porch” as defined in subsection (p)(7).

~~(1)~~ (2) Department. The Department of Housing and Community Development.

~~(2)~~ (3) Dependent Unit. A unit not equipped with a toilet and sewage disposal system. All camping cabins and tents are dependent units.

~~(3)~~ (4) Drain Connector. The extension, from a unit or accessory building or structure drain outlet, to the lot drain inlet.

~~(4)~~ (5) Drain Outlet. The discharge end of a unit or accessory building or structure’s, sewage drainage system.

~~(5)~~ (6) Dry Camp. A camping area where a supply of potable water is unavailable within the camping area.

(e) -E-

…

(6) Electronic or Electronically. A digital method of conducting business or communicating with the enforcement agency such as by electronic mail (email), internet, web portal, or other digital program or database designated by the enforcement agency.

~~(6)~~ (7) Emergency. An occurrence constituting a present or imminent serious risk to life, health, safety, or property requiring immediate correction.

~~(7)~~ (8) Energize. The act of applying electrical energy, or gas or water pressure.

~~(8)~~ (9) Enforcement Agency. The Department of Housing and Community Development, or any city, county, or city and county that has assumed responsibility for the enforcement of this chapter and chapter 2.2 pursuant to sections 18300 and 18865 of the Health and Safety Code.

~~(9)~~ (10) Engineer. A person registered with the State of California as a professional engineer qualified to practice engineering in this state. For purposes of this chapter, an engineer designing or approving plans shall have skill, knowledge, and expertise in that scope of practice.

~~(10)~~ (11) Equipment. All materials, appliances, devices, fixtures, fittings, or accessories used in the structural, fire safety, plumbing, mechanical, and electrical systems of units, accessory buildings and structures, buildings, structures, infrastructures, and systems subject to this chapter.

(f) -F-

…

(8) Forms. The following forms can be electronic or hard copy and are incorporated by reference:

(A) ~~Annual Permit To Operate (local enforcement agency)~~ Local Enforcement Agency Annual Permit to Operate, HCD MP 503B, dated ~~01/07~~ 3/24.

(B) Application ~~For~~ for Alternate Approval, HCD MP 511, dated ~~7/04~~ 3/24.

(C) Application ~~For~~ for Certification ~~Of~~ of Manufactured Home ~~Or~~/ Mobilehome Earthquake Resistant Bracing System, HCD MP 50 ERBS CERT, dated ~~7/04~~ 3/24.

(D) Application ~~For~~ for Permit ~~To~~ to Construct, HCD MP 50, dated ~~7/04~~ 3/24.

~~(E) Application For Permit To Operate, HCD 500, dated 7/0~~4.

~~(F)~~ (E) Application ~~For~~ for Standard Plan Approval, HCD MP 520, dated ~~7/04~~ 3/24.

~~(G)~~ (F) Certificate of Occupancy, HCD 513C, dated ~~7/04~~ 3/24.

~~(H)~~ (G) Floodplain Ordinance Compliance Certification ~~For~~ for Manufactured Home / Mobilehome Installations, HCD MP 547, dated ~~7/04~~ 3/24.

~~(I)~~ (H) Manufactured Home ~~or~~/ Mobilehome Installation Acceptance (Local Enforcement Agency), HCD MP 513B, dated ~~7/04~~ 3/24.

~~(J)~~ (I) Manufactured Home ~~or~~/ Mobilehome Installation Acceptance, HCD MP 513A, dated ~~7/04~~ 3/24.

~~(K) Permit To Operate (local enforcement agency), HCD 500A, dated 7/04.~~

~~(L)~~ (J) Lot Plot Plan and Park Information, HCD MP 538, dated ~~7/04~~ 3/24.

~~(M)~~ (K) Private Fire Hydrant Test ~~And~~ and Certification Report, HCD MP 532, dated ~~01/07~~ 3/24.

~~(N)~~ (L) School Impact Fee Certification, HCD MP 502, dated ~~1/04~~ 3/24.

NOTE: The use of existing forms shall be permitted until supplies are exhausted.

…

(i) -I-

(1) In-ground Pool. A permanent structure intended for swimming or recreational bathing that contains water over 18 inches deep. In-ground pool includes, but is not limited to, in-ground hot tubs, in-ground spas, and in-ground wading pools.

~~(1)~~ (2) Independent Unit. A unit equipped with a toilet and designed to be connected to a lot sewer inlet.

~~(2)~~ (3) Identification Label. A decal, tag, or label indicating acceptance by the department of a standard plan for an accessory building or structure.

~~(3)~~ (4) Incidental Camping Area. Any area or tract of land where camping is incidental to the primary use of the land for agriculture, timber management, or water or power development purposes, and where two or more campsites used for camping are rented or leased or held out for rent or lease. The density of usage shall not exceed 25 camping parties within a radius of 265 feet from any campsite within the incidental camping area.

~~(4)~~ (5) Insignia or Label of Approval. A tag or label issued pursuant to Health and Safety Code section 18027.3 or 18027.5 and permanently affixed to the unit indicating compliance with applicable regulations of the department or with the American National Standards Institute standards A119.2 or A119.5.

…

(p) -P-

…

(4) Permanent Building or Structure. Any permanent structure under the control and ownership of the park owner or operator which is not on a lot and is expressly used in the operation of the park such as for the park office, a community center, or park storage facilities. For the purposes of this chapter, “Permanent Building or Structure” includes, but is not limited to, ground-mounted solar systems, solar canopies, and permanent in-ground pools, except as allowed by section 1042(c) of this chapter.

…

(r) -R-

…

(3) Recreational Vehicle. A vehicle as defined in section 18010 of the Health and Safety Code and includes a park trailer as defined in Section 18009.3 of the Health and Safety Code. For the purposes of this chapter, a recreational vehicle and park trailer shall be limited to a single living quarter and may not contain multiple living quarters on a single chassis.

…

(s) -S-

…

(6) Signed. When required by this chapter to verify a permit, plans, or other document, means use of an original or “wet” stamp or signature, or electronic stamp or signature, or both, of the architect, engineer, or other person verifying the plan, permit, or other document. When such verification is not required by this chapter, an enforcement agency shall not require an original or “wet” stamp or signature, or both.

...

…

**Note:**

Authority cited: Sections 18865, 18865.05, 18865.3 and 18873, Health and Safety Code. Reference: Sections 18007, 18008, 18008.5, 18008.7, 18009.3, 18010, 18013.4, 18861, 18862, 18862.15, 18862.23, 18862.33, 18862.35, 18865.3, 18866.3, 18866.4, 18867, 18868, 18870.14, 18871.4, 18872, 18872.2, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5 and 18909, Health and Safety Code.

## 28. Amend Section 2004. Local Enforcement

(a) Assumption of responsibility for the enforcement of Parts 2.1 and 2.3 of Division 13, of the California Health and Safety Code and the provisions of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2 relating to enforcement within parks by a city, county, or city and county, shall be by means of an ordinance, resolution, or minute order of the city council or board of supervisors which shall contain the following information and be subject to department approval:

(1) Indication of assumption of responsibility for enforcement of Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and the provisions of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

(2) Name of the agency or agencies delegated enforcement responsibilities.

(3) A statement that the designated local enforcement agency will provide qualified personnel necessary to enforce Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and the provisions of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2 consistent with those laws and regulations. The statement shall include the total number of personnel assigned to the enforcement program.

(4) One copy of any contract, memorandum of understanding, or other document governing delegation of responsibilities and services to a local government agency other than the local government assuming responsibility for Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

(5) Adoption of the applicable schedule of fees contained in the provisions of Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

~~(A)~~ (6) A statement adopting the state program and objectives as contained in Parts 2.1 and 2.3 of Division 13 of the Health and Safety Code, and Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2.

~~(B)~~ (7) A description of existing parks within the local jurisdiction, including conditions and type of park.

~~(C)~~ (8) Specific local objectives, program plan and timetable designed to achieve enforcement compliance.

(9) When the local assumption of enforcement responsibility is made by a county or city and county, the prospective local enforcement agency shall provide:

(A) a list of the incorporated cities within the county that are and are not under the control of the county or city and county and

(B) a list of the unincorporated cities that are not and are not under the control of the county or city and county.

~~(6)~~ (10) Effective date of assumption of enforcement.

(b) One certified copy of the ordinance, resolution, or minute order of the city council or board of supervisors shall be forwarded ~~to the Administrative Office of the Division of Codes and Standards, P.O. Box 1407, Sacramento, CA 95812-1407~~ to the department electronically, not less than thirty (30) days before the designated effective date of assumption of enforcement.

(c) A statement that the following forms provided by the department will be used:

~~(1) HCD 500A, Application for Permit to Operate;~~

~~(2)~~(1) ~~HCD MP 503B Annual Permit to Operate~~ Local Enforcement Agency Annual Permit to Operate, HCD MP 503B, dated 3/24, which is incorporated by reference.

(d) The department shall determine the local agency's knowledge and ability to apply the requirements of Title 25, California Code of Regulations, Division 1, Chapters 2 and 2.2, and the applicable Health and Safety Code requirements. The department's determination may include, but is not limited to, verification of the local agency's ability and knowledge through performance of activities that may include inspection, records review, and interviews of assigned personnel.

(e) Upon completion of the transfer, the new ~~enforcing~~ enforcement agency shall notify, in writing, the parks within its jurisdiction of the change in enforcement and the designated department or departments responsible for enforcement and permit issuance.

(f) Every enforcement agency shall comply with the verification of eligibility to receive public benefit requirements of Title 25, California Code of Regulations, Division 1, Chapter 5.5, commencing with section 5802, of applicants for permits to operate mobilehome parks or special occupancy parks.

(g) Notwithstanding the provisions of section 2005.5 of this article, in order to ensure that the orderly transition of assumption of enforcement occurs when a park, or permanent building within a park, is under construction, the enforcement responsibilities for that construction shall be transferred, as well as all pertinent information pertaining to that construction including, but not limited to, plans, calculations, testing information, inspection reports and correction notices, on the date as determined by the department.

(h) The local enforcement agency shall send electronically submit to the department a copy of each permit to operate it has renewed, within thirty (30) days after renewal. ~~to the department's Division of Codes and Standards, at the address designated by the department at the time of assumption.~~

(i) When a local enforcement agency proposes changes in the local division or personnel responsible for enforcing the provisions of this chapter, Chapter 2 and sections 18200 through 18874 of the Health and Safety Code, that agency shall notify the department at least thirty (30) days prior to the proposed date of the changes. The department may perform a reevaluation to determine whether the personnel have the required knowledge and ability as required in subsection (d) of this section.

(j) ~~When a local enforcement agency changes:~~ A local enforcement agency shall notify the department electronically within thirty (30) days if the local enforcement agency changes any of the following:

(A) its address,

(B) phone number, ~~or~~

(C) contact person,

(D) email address, or

(E) incorporated or unincorporated cities within the control of a county or city and county~~, it shall notify the Administrative Office of the department in writing within thirty (30) days of the change~~.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18862.17, 18865, 18870.6 and 18870.7, Health and Safety Code.

## 29. Amend Section 2004.5. Complaint Investigations

(a) When a complaint alleging violations of this Chapter, Chapter 2 or Sections 18200 through 18700 and 18860 through 18874 of the Health and Safety Code is referred to a local enforcement agency, the agency shall do the following:

(1) Make reasonable efforts to contact the complainant to discuss the complaint. If the issue addressed within the complaint exceeds the authority or jurisdiction of the enforcement agency, the complainant shall be so advised, and shall be directed, when possible, to the appropriate governing entity.

(2) Investigate allegations of violations representing an immediate risk to life, health, or safety within five (5) days of receipt of the complaint by the agency.

(3) Investigate allegations of violations representing an unreasonable risk to health or safety within thirty (30) days of receipt by the agency.

(4) Discuss the results of the investigation with the complainant, or provide the results in writing, if requested by the complainant.

(b) When a complaint is referred to a local enforcement agency from the ~~Office of the Mobilehome Ombudsman (Office)~~ Mobilehome Assistance Center (MAC), the local enforcement agency shall, no later than thirty–five (35) days following its receipt of the complaint, submit a written report detailing the final results of the investigation to the ~~Office~~ MAC, or its designee.

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**Note:**

Authority cited: Sections 18300, 18865 and 18153, Health and Safety Code. Reference: Sections 18300, 18865 and 18153, Health and Safety Code.

## 30. Amend Section 2005. Local Government's Cancellation of Enforcement Responsibility

(a) An enforcement agency intending to relinquish responsibility for enforcement ~~authority~~ shall ~~advise~~ electronically notify the department, no less than ninety (90) days prior to initiating the requirements of subsection (b).

(b) A governing body canceling its enforcement responsibility shall complete the following to the department's satisfaction before the transfer is effective:

(1) provide ~~written~~ electronic notification to the department not less than ninety (90) days prior to the proposed effective date of the action, along with a copy of the ordinance, resolution, or minute order of the city council or board of supervisors repealing enforcement responsibility; and

(2) remit the appropriate fees to the department as identified in section 2006 of this article on or before the date of transfer of responsibility~~.~~; and

(3) electronically transfer all park records to the department on or before the effective date of the transfer of enforcement responsibility.

(c) When the local agency cancels its enforcement responsibility for this chapter, its responsibility for enforcement of chapter 2 of this division is also cancelled.

(d) When a local enforcement agency has canceled its assumption of responsibility for enforcement and desires to reassume enforcement, it must reapply in compliance with the requirements contained in section 2004 of this article.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18862.17 and 18865, Health and Safety Code.

## 31. Amend Section 2006.5. Permit to Operate Required

(a) No person shall operate a park, or a portion of a park, or rent, lease, sublease, hire out, or let out for occupancy any new or existing lot in a park without a current permit to operate issued by the enforcement agency.

(b) Original or amended permit to operate applications submitted to the enforcement agency shall contain the following information:

(1) Department issued park identification number

(2) Type of park:

(A) Recreational Vehicle Park

(B) Temporary Special Occupancy Park

(C) Incidental Camping Area

(D) Tent Camp

(3) Type of permit requested:

(A) Original or

(B) Amended

(i) Change in operator or manager

(ii) Change of name or address

(iii) Change in Number of Lots

(iv) Transfer of park ownership

(a) When a park transfers ownership from one owner to a new owner, a copy of the recorded property deed with the new owners name shall be provided.

(4) Total number of lots, including:

(A) Number of mobilehome lots

(B) Number of special occupancy lots with drains

(C) Number of special occupancy lots without drains

(5) Conditional uses

(A) Number of lots with an electrical system designed exclusively for 50 amperes

(B) Number of lots with an electrical system designed exclusively for 30 amperes

(C) Number of lots with an electrical system designed for any other amperes

(6) Park name

(7) Park physical address

(8) Park phone number

(A) Incorporated or unincorporated jurisdiction

(9) Owner’s information

(A) Legal name

(B) Phone number
(C) Mailing address

(D) Email

(10) Operators information, if different from owner

(A) Legal name

(B) Phone number

(C) Mailing address

(D) Email

(11) Manager information, if different from operator

(A) Legal name

(B) Phone Number

(C) Mailing address

(D) Email

(E) Manager hire date

(12) Owner certification and signature under penalty of perjury under the laws of the State of California that the information provided is true and correct.

~~(b)~~ (c) Applications for a permit to operate a temporary recreational vehicle park shall be submitted to the enforcement agency at least thirty (30) days prior to the intended date of operation. Evidence of approvals from the local planning agency, health and fire departments and, if utilities are installed, the local utility companies shall be submitted with the application for the permit to operate.

~~(c)~~ (d) Application for a permit to operate an incidental camping area shall be ~~on forms supplied~~ required by the enforcement agency, and shall be accompanied by ~~two (2) sets of~~ the following exhibits:

(1) A map or plot plan of the area or tract of land proposed to be used for incidental camping.

(2) A description of the facilities to be provided for the use of campers.

(3) A statement of the proposed use of the incidental camping area, which shall include:

(A) Approximate dates of occupancy, or a statement that the facility is intended to be operated year–round;

(B) Type of use intended, including use of recreational vehicles for camping purposes, if any;

(C) Number and type of sanitary facilities; and

(D) Maximum number of camping parties to be accommodated at any one time.

(4) Evidence of approval by local planning, health and fire departments.

~~(d)~~ (e) When the applicant proposes to construct or install common facilities for the use of campers, or to construct or install facilities to supply fuel gas, water or electricity to campers, or to dispose of sewage or waste from recreational vehicles, a permit to construct for such facilities shall first be obtained in accordance with the provisions of this article.

~~(e)~~ (f) When camping cabins are installed in a park, the lot number of cabins shall be recorded at the time of inspection and added to the comments section of the park’s permit to operate by the enforcement agency. An amended permit to operate is not required to be printed.

(g) If a park’s permit to operate is expired for failure to renew for twelve (12) or more consecutive months, the park may be subject to fines and penalties by the enforcement agency, as identified in section 18874 of the Health and Safety Code, and the park’s permit to operate may be suspended by the enforcement agency pursuant to section 18870.11 of the Health and Safety Code.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Section 18870, 18870.1, 18870.2, ~~and~~ 18870.6, 18870.11 and 18874, Health and Safety Code.

## 32. Amend Section 2010. Permit to Operate – Construction Completed

(a) Upon final approval by the enforcement agency of the construction of lots and facilities, the applicant shall submit an application for permit to operate, or amended permit to operate, ~~on a form designated by the department,~~ including information in section 2006.5 of this article, together with appropriate fees as specified in sections 2008 and 2009 of this article, to the enforcement agency. The designated ~~form~~ application shall be submitted as follows:

(1) When the department is the enforcement agency, the applicant shall submit the application for permit to operate to the department. Upon approval of the application by the department, an annual permit to operate shall be issued to the applicant.

(2) When a local enforcement agency has enforcement responsibilities, the applicant shall submit the application, to that agency. Upon approval of the application by the local enforcement agency, that agency shall provide one (1) copy of the approved application to the applicant and, within five (5) working days after approval, one (1) copy, along with the state fees required by section 2008 of this article, to the ~~Division of Codes and Standards, P.O. Box 1407, Sacramento, CA 95812-1407~~ department electronically. The Division of Codes and Standards shall issue the initial permit to operate within ten (10) working days of receipt of the approved application. The department shall provide copies of the permit to operate to the applicant and the local enforcement agency. Subsequent years' annual permits to operate shall be issued by the enforcement agency.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18870.2 and 18870.6, Health and Safety Code.

## 33. Amend Section 2012. Department Copies of the Annual Permit to Operate and Related Fees

(a) Local enforcement agencies shall electronically send a copy of each issued annual permit to operate to the Division of Codes and Standards within thirty (30) days following its issuance.

(b) All local enforcement agencies shall forward to the Division of Codes and Standards, the state fees paid by the applicant pursuant to section 2008 of this article within thirty (30) days of receipt.

(c) The department shall provide a supply of the annual permit to operate forms and application for permit to operate ~~forms~~ to any local enforcement agency making a request ~~for the forms~~.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18870.2, ~~1~~18870.3, 18870.6 and 18870.7, Health and Safety Code.

## 34. Amend Section 2013. Emergency Preparedness Plans

(a) Every park shall adopt an emergency preparedness plan and notify park residents how to obtain a copy of the plan. In order to obtain a permit to operate, the information in subsections (c) and (d) must be submitted to the enforcement agency upon renewal of a permit to operate after September 10, 2010, or the issuance of the initial permit for a new park, whichever comes first.

(1) After a plan is approved by the enforcement agency, it is not necessary to provide the enforcement agency with future copies unless conditions described in the plan have changed (e.g. roadway changes, addition of lots, floodplain changes, etc.).

(b) The emergency preparedness plan shall be one of the following:

(1) adopting the emergency plans and procedures contained in the Standardized Emergency Management System Advisory Board's booklet of November 21, 1997, entitled “Emergency Plans for Mobilehome Parks,” published by the former Office of Emergency Services or any subsequent version published by the California Governor’s Office of Emergency Services, or

(2) a plan developed by park management comparable to the plans and procedures contained in the booklet described in subparagraph (1) above.

(c) Documentation submitted to the enforcement agency to obtain a permit to operate shall include at a minimum of the following:

(1) a copy of the plan available to the residents;

(2) the location of the posted notice in the park describing how the residents may obtain the plan;

(3) a copy of the notice distributed to residents that identifies additional state and local agencies' individual emergency preparedness information including, but not limited to, the ~~California Emergency Management Agency~~ California Governor’s Office of Emergency Services;

(4) written verification by the park operator that all residents have received written notification on how to obtain a copy of the plan and the information required in subsection (c)(3).

(d) At a minimum the following items should be included in a park's emergency preparedness plan to be deemed consistent with or comparable to the “Emergency Plans for Mobilehome Parks” booklet, the standard defined in Health and Safety Code 18871.8.

(1) Maps showing evacuation routes out of the park including all exits and alternate routes and exits.

(2) The elevation of the park property if the park is in a floodplain.

(3) Type of disasters common to the area.

(4) How residents may obtain a copy of the plan.

(5) General information regarding types of disasters such as floods, earthquakes, fires, and other emergencies.

(6) Contact information for emergency government agencies including the ~~California Emergency Management Agency (CalEMA)~~ California Governor’s Office of Emergency Services, local fire and police department and community assistance organizations such as the American Red Cross, or other emergency agencies' contact information.

(7) Local emergency broadcast station frequencies.

(8) Information on how residents may obtain additional materials for establishing an individual household emergency plan, individual household emergency supply kits, and individual home safety recommendations.

(e) Park management is not responsible for physically evacuating residents from their homes and park residents must take personal responsibility for themselves during an emergency. Residents that may need assistance in the event of an evacuation should make prior arrangements to have that assistance available.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18870 and 18871.8, Health and Safety Code.

## 35. Amend Section 2018. Permits Required or Not Required

(a) No person shall erect, construct, reconstruct, install, replace, relocate or alter any building, structure, accessory building or structure, or building component; any electrical, mechanical, or plumbing equipment; any fuel gas equipment and installations, or fire protection equipment; or installations of, or within, a park, or a lot, or perform any non-load bearing grading or area fill with a depth of one (1) foot or greater, unless exempted from obtaining a grading permit pursuant to Appendix J of the California Building Code, without first obtaining a written construction permit from the enforcement agency.

(b) No person shall create or change a lot line within a park without first obtaining a permit from the enforcement agency pursuant to the requirements of section 2105 of this chapter.

(c) Any person issued a notice indicating violations pursuant to this section, shall obtain the required permit from the enforcement agency and provide the appropriate fees as prescribed in this article.

(d) The enforcement agency shall not require a permit to construct for the following work, when the construction is performed in a workmanlike manner, does not present a hazard, and otherwise complies with the requirements of this chapter:

(1) Minor maintenance and repair including the replacement of existing utility metering devices.

(2) The installation of a storage cabinet on a lot.

(3) Construction or installation of a stairway having a landing not to exceed twelve (12) square feet.

(4) A landing not more than twelve (12) square feet in area.

(5) Construction or installation of removable insect screening, flexible plastic or canvas type material used as ~~an~~ a temporary awning or as temporary awning or carport enclosures.

(6) Construction or installation of a retaining wall less than four (4) feet in height measured from the bottom of the footing to the top of the wall, unless it is supporting a surcharge load.

(7) Construction or installation of a patio, as defined in section 2002(p)(3).

(8) Fences not over ~~six (6)~~ seven (7) feet high.

(9) Canvas or cloth awnings provided they meet the setback and separation requirements for combustible materials contained in section 2428 of this Chapter.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18870, 18870.8, 18872 and 18872.1, Health and Safety Code.

## 36. Amend Section 2020.6. Application Requirements for Permits for Park Construction or Alteration

(a) This section applies to any person submitting an application pursuant to section 2018, for a permit to construct or alter any of the following:

(1) A park;

(2) An addition to a park;

(3) An alteration to a park;

(4) A permanent building in a park;

(5) An accessory building or structure without a standard plan approval.

(b) A person who is required to obtain a permit to construct, pursuant to section 18870 of the Health and Safety Code, shall submit an application for a permit to construct to the enforcement agency, with the appropriate fees as specified in section 2020.7 of this article, on the form prescribed by that agency.

(c) A person submitting an application pursuant to this section, shall submit three (3) complete sets of plans and specifications or installation instructions, in compliance with section 2034 of this chapter.

(d) Applications for permits to construct, alter, or enlarge a park, shall be submitted with written evidence of compliance with the California Environmental Quality Act (Public Resources Code Division 13, commencing with section 21000) and written evidence of approvals by all of the following:

(1) the local planning agency,

(2) the local health, fire, and public works departments,

(3) the local department responsible for flood control,

(4) the serving utilities, and

(5) any other state or federal agency or special district that has jurisdiction and would be impacted by the proposed construction.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18870, 18870.1, 18870.2, 18870.3, 18870.4 and 18872, Health and Safety Code.

## 37. Amend Section 2032. Permit Applications—Required Approvals

(a) All applications for permits to construct shall be submitted on the designated form provided by the enforcement agency.

(b) Applications for permits to construct, alter, or enlarge a park, shall be submitted with written evidence of compliance with the California Environmental Quality Act, along with written approval by all of the following:

(1) the local planning agency;

(2) the local health, fire, and public works departments;

(3) the local department responsible for flood control;

(4) the serving utilities; and

(5) any other public agencies having jurisdiction over the activity contained in the permit application.

(c) Park operator approval is required on all applications for a permit to construct, reconstruct or alter the park electrical, fuel gas, plumbing, or fire protection equipment or installations.

(d) Park operator approval is required with all applications for a permit to install a manufactured home or mobilehome pursuant to section 2118 of this chapter, or to alter any unit located in a park if such alteration would affect the electrical, fuel gas or plumbing system of the park.

(e) Park operator approval is required on all applications for permits to construct, reconstruct, install or alter an accessory building or structure or building component to be located or proposed to be located within a park.

(f) Written evidence of applicable local approvals ~~may be~~ is required for permanent buildings or structure, when the installation or construction ~~may~~ impacts local services.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18866.6 and 18870.1, Health and Safety Code.

## 38. Amend Section 2038. Extension of Permit to Construct

Section 2038. ~~Extension of~~ Permit to Construct Expiration

~~(a) A permit to construct may be extended up to three (3) times during the life of a construction project. Each extension shall be limited to six (6) months. Only one extension of a permit to construct shall be granted if work described in the permit has not commenced. No permit to construct shall be extended more than two years from the date of issuance of the initial permit to construct.~~

(a) A permit to construct shall expire six (6) months after it has been issued by the enforcement agency if no work described in the permit has commenced or no progress or final inspection have been requested by the applicant and completed by the enforcement agency and a request for an extension has not been made by the applicant. At the sole discretion of the enforcement agency, one extension may be granted not to exceed six (6) months.

(b) ~~Where a permit to construct has expired, all work shall cease until a valid permit to construct has been issued by the enforcement agency. A reapplication need not be accompanied by plans and specifications or installation instructions where:~~

~~(1) construction is to be completed in accordance with plans filed with the initial permit to construct; and~~

~~(2) the approved plans are made available to the enforcement agency during the construction; and~~

~~(3) plans were approved less than two (2) years prior to the request for extension.~~ When a permit to construct has been issued and progress inspection(s) have been completed by the enforcement agency prior to expiration as specified in subsection (a), the permit to construct may be extended by the enforcement agency not to exceed two (2) years from the date of issuance of the initial permit to construct. A permit to construct, as specified in this subsection, shall expire two (2) years from the initial issuance date.

(c) Permit to construct applications submitted to the enforcement agency that are not complete or remain deficient for six (6) months from the initial date received shall be deemed invalid and closed.

~~(c)~~ (d) Fees paid for a permit to construct shall be forfeited to the enforcement agency if the permit to construct is expired or invalid pursuant to this section. ~~if the applicant does not start construction within six (6) months of the date of issuance of the permit, or upon expiration of the permit where work has commenced and no extension has been granted pursuant to subsection (a).~~

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Section 18870.10, Health and Safety Code.

## 39. Amend Section 2042. Swimming Pools

(a) The enforcement agency shall be responsible for the plan review, permitting and inspection of in-ground pools within special occupancy parks. The applicable local environmental health agency shall have the ability to apply their own authority for plan review and approval for proposed in-ground pools in special occupancy parks.

(b) Construction, safety features, and barriers standards for public and private swimming pools constructed within a park are contained in the California Building Code.

(c) (c) In-ground pools shall not be installed on lots within special occupancy parks except when the lot is subdivided for individual ownership.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Section 18872, Health and Safety Code.

## 40. Amend Section 2102. Responsibility

(a) The owner, operator, or the designated agent for the park shall be responsible for the safe operation and maintenance of all common areas, park-owned electrical, gas, and plumbing equipment and their installations, and all park-owned permanent buildings or structures, within the park. When not owned by the serving utility, the park is responsible for lot services to include the gas riser, water riser, lot drain inlet and the electrical pedestal. The unit owner is responsible for the connections to those utilities.

(b) The owner of a unit, its appurtenances, an accessory building or structure, or building component shall be responsible for the use and maintenance of the unit, its appurtenances, accessory building or structure, or building component and utility connections up to the lot services in compliance with the requirements of this chapter.

(c) Any person obtaining a permit to construct shall be responsible for the construction or installation in accordance with the requirements of this chapter.

(d) The operator of a park shall not permit a unit, accessory building or structure, building component, or any park utility to be constructed, installed, used, altered, or maintained in the park unless constructed, installed, used, altered, or ~~and~~ maintained in accordance with the requirements of this chapter.

(e) Procedures related to notice of violation and responsibilities to abate violations are set forth in article 10, commencing with section 2600 of this chapter.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18866.2, 18866.3 and 18871.8, Health and Safety Code.

## 41. Add Section 2123. General Lot Access

Section 2123. General Lot Access

(a) Lot utilities shall not be placed in an area that obstructs access to any portion of the lot.

(b) Stairways may be installed pursuant to section 2428(c) but shall not be installed in any configuration that prevents access to any portion of the lot or lot utility equipment.

**Note:**

Authority cited: Sections 18865 and 18873.5, Health and Safety Code. Reference: Sections 18872 and 18873.5, Health and Safety Code.

## 42. Amend Section 2185. Electrical Appliances and Equipment

(a) When electrical equipment or fixed appliances are installed to serve an accessory structure, the installation shall be supplied by means of a permanent wiring method to the lot service equipment, provided the lot service equipment is designed and listed for the additional load.

(b) If the park electrical system or the feeder supplying the lot electrical service equipment does not have the ampacity to supply the equipment in addition to its connected load, a permit to construct, as required in section 2018 of this chapter, shall be obtained for alteration of the required service supply and equipment.

(c) ~~All electrical appliances and equipment not located within enclosed weatherproof structures must be approved for use in wet locations.~~ Water heating equipment may be installed in an approved freestanding compartment outside and adjacent to the unit if such equipment is listed for exterior use and is installed in accordance with the manufacturer’s installation instructions, and this chapter. No other newly installed appliance serving the unit shall be installed outside of the unit.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Section 18873.3, Health and Safety Code.

## 43. Amend Section 2317. Private Fire Hydrant Test and Certification

(a) Verification of Private Fire Hydrant Test and Certification. The Private Fire Hydrant Test and Certification Report, a form defined in section 2002 of this chapter, shall be used to verify that private fire hydrants have been tested and certified for operation and water flow. All park operators shall submit the form~~, including parks that qualify for testing exceptions,~~ to the enforcement agency for the park. Parks without private fire hydrants shall submit a private fire hydrant test and certification form to the enforcement agency to establish the testing exception. After the exemption is approved by the enforcement agency, no annual reporting of the exemption is required unless any conditions described in the exemption change.

…

**Note:**

Authority cited: Sections 18865, 18865.05, 18872 and 18873.5, Health and Safety Code. Reference: Section 18873.5, Health and Safety Code.

## 44. Amend Section 2426. Accessory Buildings or Structures and Building Components Installed in Fire Hazard Severity Zones

(a) Accessory buildings or structures or building components constructed or installed in parks in a State Responsibility Area Fire Hazard Severity Zone or a local Very-High Fire Hazard Severity Zone, as indicated on the California Department of Forestry and Fire Protection’s Fire Hazard Severity Zone Maps, shall comply with Title 24, Part 2.5,

Chapter 3, section ~~R327~~ R337 of the California Residential Code (CRC) which is hereby incorporated by reference with the exception of ~~the following provisions: Sections R327.1.5, R327.2 (Fire Protection Plan,~~ provisions related to Vegetation Management Compliance and Alternates for Materials, Design, Tests, and Methods of Construction~~,) and R327.3.6~~.

(b) Accessory buildings or structures or building components constructed or installed outside of parks in a State Responsibility Area Fire Hazard Severity Zone, a local Very-High Fire Hazard Severity Zone, or a local Wildland-Urban Interface Fire Area shall comply with the provisions of the CRC, Title 24, Part 2.5, Chapter 3, section ~~R327~~ R337.

**Note:**

Authority cited: Sections 18865 and 18873.5, Health and Safety Code. Reference: Section 18873.5, Health and Safety Code.

## 45. Amend Section 2514. Fence or Windbreak—Height

(a) A fence located on a lot shall not exceed ~~six (6)~~ seven (7) feet in height.

(b) A fence exceeding forty–two (42) inches in height, parallel to a unit or habitable accessory building or structure or building component, shall not be located closer than three (3) feet to that unit, habitable accessory building or structure, or building component.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Section 18871.3, Health and Safety Code.

## 46. Add Section 2609.5 General and Administrative - Substandard Conditions and Nuisances

2609. General and Administrative - Substandard Conditions and Nuisances

(a) Any of the following conditions shall be deemed substandard and a nuisance when they endanger the life, limb, health, property, safety, or welfare of the occupants or the public.

(1) A park owner, operator, or designated agent that has failed to renew their permit to operate and the permit is expired.

(2) A park owner, operator, or designated agent’s failure to provide access to potable water for all park residents.

(3) A park owner, operator, or designated agent’s failure to comply with their responsibility pursuant to section 2102 of this chapter.

(4) A unit owner’s failure to comply with their responsibility pursuant to section 2102 of this chapter.

(5) Any violation of this chapter when a notice of violation has been issued by the enforcement agency and remains uncorrected for six (6) or more months.

(6) A nuisance as defined in subsection 2002.

**Note:**

Authority cited: Section 18865, Health and Safety Code. Reference: Sections 18866.3, 18866.5, 18870.6 and 18871, Health and Safety Code.