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**IDAPA 07
TITLE 03
Chapter 03**

07.03.03 - RULES GOVERNING MANUFACTURED BUILDINGS

000. LEGAL AUTHORITY.

The Director of the Division of Building Safety is authorized under Section 39-4104, et seq, Idaho Code, to promulgate rules concerning the enforcement and administration of the Idaho Building Code Advisory Act. (2-26-93)

001. TITLE AND SCOPE.

These rules shall be cited as IDAPA 07.03.03, "Rules Governing Manufactured Buildings," Division of Building Safety. These rules prescribe the criteria for enforcement of the Idaho Building Code Advisory Act as it pertains to Manufactured Buildings. (2-26-93)

002. WRITTEN INTERPRETATIONS.

This agency has no written interpretations of this chapter. (2-26-93)

003. ADMINISTRATIVE APPEALS.

This chapter does not provide for administrative relief of the provisions outlined herein. (2-26-93)

004. -- 009. (RESERVED).

010. DEFINITIONS.

The terms defined in this chapter shall have the following meaning unless the context clearly indicates another meaning: (12-5-75)

01. Alteration or Conversion. Any change from the approved plans or installation instructions which would affect the structural, mechanical, electrical or plumbing systems of manufactured buildings bearing a Division insignia of approval and shall include the replacement, addition, modification or removal of any structural member, plumbing, heat-producing or electrical equipment, or installation which may effect such systems prior to first occupancy. Any such alteration or conversion shall first be approved by testing and inspection in the same manner as original systems or component parts. The following shall not constitute alteration or conversion: (12-5-75)

- a. Repairs with approved replacement parts; (12-5-75)
- b. Conversion of listed fuel-burning appliances in accordance with the terms of their listing;(12-5-75)
- c. Replacement of equipment and appliances in kind; (12-5-75)
- d. Adjustment and maintenance of equipment. (12-5-75)

02. Equipment. All equipment, materials, appliances, devices, fixtures, fittings or accessories installed in the manufacture and assembly of manufactured buildings. (12-5-75)

03. Field Technical Service. Interpretation and clarification of the technical data relating to the application of these rules, but not including inspection. (12-5-75)

04. Substantially Prefabricated or Assembled. The module or major portion of manufactured buildings assembled in such manner that all portions may not be inspected without disassembly or destruction of the part. (12-5-75)

011. ENFORCEMENT AND ADMINISTRATION.

The Division shall administer and enforce all the provisions of these rules. Any officer, agent or employee of the Division is authorized to enter any premises during any normal or operational hours where manufactured buildings are manufactured, leased, sold or offered for sale for the purpose of examining any records pertaining to quality control and inspection and may inspect any such units, equipment or installations to insure compliance with the

provisions of these rules and codes enumerated in Chapter 41, Title 39, Idaho Code. When it becomes necessary, he may require that a portion or portions of such manufactured building units be removed in order that an inspection may be made to determine compliance. Every manufacturer of manufactured buildings shall obtain prior approval and an insignia for each manufactured building unit to be installed in the state of Idaho. (7-1-86)

012. ALTERNATES AND EQUIVALENTS.

01. Alternatives Acceptable. The provisions of these rules are not intended to prevent the use of alternate designs, materials, appliances, systems, devices, arrangements, or methods of construction not specifically prescribed by Chapter 41, Title 39, Idaho Code, or of these rules; provided, any such alternate has first been recognized by the Division. (7-1-86)

02. Satisfactory Alternatives. The Division shall recognize any such alternate if it finds that the proposed design is satisfactory and that the material, appliance, device, arrangement, method, system or method of construction is at least the equivalent in performance in quality, strength, effectiveness, fire resistance, durability and adequate for the protection of the health, safety and general welfare of the people of the State of Idaho. (7-1-86)

03. Unsatisfactory Alternatives. Recognition by the Division shall not be given if there is substantial evidence that any design, material, appliance, device, arrangement, system or method of construction does not conform to the provisions or requirements of prescribed standards or these rules; provided, however, the Division may, in order to substantiate claims for alternates, upon written request cause tests or proof of compliance to be made at the expense of the manufacturer, his agent, or the seller. (1-16-92)

04. Test Methods. Test methods shall be as specified in the standards of the codes listed in Chapter 41, Title 39, Idaho Code, or by other nationally recognized standards recognized by the Division. If there are no appropriate test methods specified in the standards listed above, the Division shall determine the test procedure. (12-5-75)

013. INSPECTIONS.

01. Inspections at Manufacturing Plant. The Division shall conduct inspections at the manufacturing plant to determine compliance with the provisions of these rules and with Chapter 41, Title 39, Idaho Code. (5-25-76)

02. Out-of-State Manufacturing Facility. If the applicant's manufacturing facility is out-of-state, the application shall include a statement signed by the applicant that he agrees to in-plant inspections and that he will apply for an insignia for each manufactured building unit to be sold or offered for sale in the state of Idaho. (5-25-76)

03. In-plant Inspections. Due to the repetitive nature of the manufacturing process, the required inspections outlined in the Uniform Building Code may not be required if, in the opinion of the Division, compliance can be obtained by periodic inspections. The Division shall conduct periodic unannounced inspections at any manufacturing site to review any or all aspects of a manufacturer's production and inspectional control procedures. Each unit, however, shall be inspected at least once during the course of production for compliance with the adopted standards. No unit manufactured to be installed in the State of Idaho will be shipped from the point of manufacture without inspection and attached insignia. (5-25-76)

04. Field Inspections. (5-25-76)

a. All out-of-state manufactured buildings to be installed in the State of Idaho not bearing the Division's insignia or bearing the insignia of a state having a reciprocal agreement for manufactured buildings, which standards are actually enforced by such state and approved by the director, shall be required to obtain prior Division inspection and approval. This approval requires submittal in accordance with IDAPA 07.03.05, "Rules Governing Manufactured Homes," and construction inspection. (5-25-76)

b. All manufactured buildings arriving at the site of installation in a damaged condition shall be visually inspected in the field by the agency having jurisdiction for site work to determine corrective action. Upon completion of all repairs such unit shall be required to obtain a field reinspection to validate the Division's initial

approval. (5-25-76)

c. Any alteration or conversion of manufactured buildings after leaving the site of construction shall be field inspected in accordance with this section by the unit of government having jurisdiction. (5-25-76)

d. Fee charges for field inspection shall be in accordance with the fee structure of these rules. (5-25-76)

05. Installation, Inspection. In order to complete the Installation of the manufactured building, approval and inspection of said installation by the enforcement agency having jurisdiction over the site location shall be required. The enforcement agency shall report to the Division the nature of any damage incurred enroute to the installation site and the Division may field inspect the unit. (5-25-76)

06. Requested Inspections. The Division will arrange for inspections within the State of Idaho upon request. The costs will be charged in accordance with the fee structure provided in these rules and regulations, and such fees shall accompany the request; provided, should such inspection reveal that the manufactured building is not in compliance with the codes and standards enumerated in Chapter 41, Title 39, Idaho Code, or these rules, the fees shall be charged to the manufacturer; provided further, that such request is initiated within one (1) year and ten (10) days from date of purchase by the first purchaser. Costs of out-of-state inspection will be charged to the manufacturer in accordance with the fee structure. (5-25-76)

07. In-plant Inspection in Sister States. Where there is evidence that the in-plant inspectional controls in out-of-state plants in states having reciprocal agreements with the State of Idaho are not being maintained for units to be sold or placed in Idaho, the Division reserves the right to make out-of-state inspections, and fees for such inspection as set forth in these rules shall be paid by the manufacturer. (5-25-76)

08. Field Technical Service. Any person may request field technical service and requests for such service shall be submitted to the Division in writing. (5-25-76)

014. LOCAL ENFORCEMENT AGENCIES.

01. Rights of Local Enforcement Agency. A local enforcement agency shall have the right to: (12-5-75)

a. Require a complete set of plans and specifications approved by the Division for each installation within its jurisdiction. (12-5-75)

b. Require that all permits be obtained before delivery of any unit to a building site. (12-5-75)

02. Limitations of Rights of Local Enforcement Agency. A local enforcement agency shall NOT have the right to: (12-5-75)

a. Require that manufactured buildings comply with local ordinances licensing journeymen or master contractors, if such journeyman or master contractor holds a valid current license from the Division. (12-5-75)

b. Open for inspection any manufactured building or component bearing an insignia to determine compliance with any codes or ordinances. (12-5-75)

c. Require by ordinance or otherwise that manufactured buildings meet any requirements not equally applicable to on-site construction. (12-5-75)

d. Require or charge fees for any portion of the structure completed in a construction facility remote from the building installation site. (12-5-75)

015. CALCULATIONS AND TEST PROCEDURES.

01. Substantiation. Where it is necessary to substantiate any structural design or method of

construction, calculations and supporting data signed by an Idaho licensed architect or professional engineer shall be submitted to the Division. (12-5-75)

02. Load-bearing Capacity. The load-bearing capacity of elements or assemblies may be established either by calculations in accordance with common established principles of engineering design, or by physical test acceptable to the Division. When the composition or configuration of elements, assemblies or details of structural members are such that calculations of their safe load-carrying capacity, basic structural integrity or fire resistance cannot be accurately determined in accordance with common established principles of engineering design, such structural properties of fire resistance of such members or assemblies may be established by tests acceptable to the Division. Tests shall be performed by an approved testing agency. (12-5-75)

03. Tests. Tests shall be directed, witnessed and evaluated by an Idaho licensed architect or professional engineer. Test procedures and results shall be reviewed and evaluated by an Idaho licensed architect or professional engineer. The Idaho licensed architect or professional engineer's evaluation of test results and recommendations, accompanied by test reports from the testing agency, shall be submitted to the Division. (12-5-75)

016. PLANS.

01. Specifications for Submittal. Plans shall be submitted in accordance with IDAPA 07.03.06. (1-13-81)

02. Nonconformance. Should the application submittal not conform to the requirements of these rules, the applicant shall be notified in writing within fifteen (15) work days of the date they are received by the Division. Should the applicant fail to submit a completely corrected application in accordance with the information supplied by the Division within ninety (90) days of such notice, the application will be deemed abandoned and all fees submitted shall be forfeited to the Division. Subsequent submission thereafter shall be processed as a new application. (1-16-92)

03. Distribution of Approved Copies. An approved copy of the submittal shall be returned to the manufacturer. An approved copy shall be retained at each place of manufacture, and a copy shall be retained by the Division. (1-13-81)

04. Proprietary Information. All material submitted by the manufacturer in the form of design plans, engineering data, test results, and other design information relating to their application will be considered proprietary information and will not be released for public scrutiny except when so ordered by a court of competent jurisdiction. (1-13-81)

05. Manufactured Building. Changes to the Approved Plans. Where the manufacturer proposes to change his submitted designs or the Division rule is amended to necessitate such a change, the manufacturer shall submit changed plans for examination and approval. (1-13-81)

017. CLARIFICATION OF CODE SECTION.

The building official referred to in Subsection 5006(d) of the Uniform Building Code shall be specifically understood to mean the enforcement agency which will be responsible for on-site installations. (12-5-75)

018. INSIGNIA.

01. Required Insignia. Each manufactured building section substantially prefabricated and assembled shall bear a Division insignia prior to leaving the manufacturing facility. Assigned insignia are not transferable and are void when not affixed as assigned. All such voided insignia shall be returned to, or may be confiscated by the Division. Insignia remain the property of the Division and may be reappropriated by the Division in the event of violation of conditions of approval. Assigned insignia affixed in the field shall be under the direction of the Division's authorized agent. (6-12-79)

a. Single units shall have the insignia permanently attached below the electrical service entrance. (6-12-79)

b. Multiple section units shall have the insignia permanently attached on all perimeter sections to the outside wall next to the major access opening. For interior units and second story units the insignia shall be permanently attached on the interior wall next to the major access opening. (6-12-79)

c. Each section of a multiple manufactured building shall have the same identifying serial number followed by a numerical sequence identifier and letter suffix except that the serial number of the section containing the electrical service entrance shall be followed by the letter "S" only. On units where the service entrance is in a center section or where there are more than one row of sections on a single level, the sections shall be identified as follows: Upon facing the main entrance to the unit the suffix "S" section will be that section to the extreme left. Subsequent numerical numbering shall start with number one (1) and will proceed from left to right to the end section of that row and continue to the next adjacent row right to left then to the next row, left to right, etc. (6-12-79)

d. The serial number of all sections on the ground level shall be identified by the letter "L". Where second story sections are utilized, the second story will be identified by using the next numerical sequence following the last lower section commencing over or closest to the section identified by an "S". All upper sections will be suffixed by the letter "U". (6-12-79)

02. Application for Insignia. The manufacturer shall make application for an insignia for each unit to be manufactured as required by IDAPA 07.03.03.018.01. The application shall be submitted to the Division in accordance with IDAPA 07.03.06 and shall include the appropriate fees. Applications shall include the appropriate fees. Applications shall include the serial number of each unit for which an insignia is requested. (6-12-79)

03. Alteration or Conversion. (6-12-79)

a. Alteration or conversion of an approved manufactured building prior to first occupancy shall NOT take place until a permit under the provisions of IDAPA 07.03.06 has been obtained. (6-12-79)

b. Any manufacturer or person proposing an alteration or conversion prior to first occupancy in a unit bearing a Division insignia of approval shall make application to the Division or to the agency having jurisdiction for site work, for a building permit. Such application shall include: Name of the manufacturer; Serial number of the unit; date of manufacture; insignia serial number; complete description of work to be performed together with plans and specifications when required; appropriate fees; and name and address of the owner of the structure. (6-12-79)

04. Denial of Insignia. Should inspection reveal that a manufacturer is not manufacturing units according to the codes specified in Chapter 41, Title 39, Idaho Code, and these rules, and such manufacturer after having been served with a notice setting forth in what respect the provisions of the codes or rules have been violated continues to manufacture units in violation of the codes or rules, applications for new insignia shall be denied and insignia issued for units in noncompliance such manufacturer may resubmit an application for insignia. (6-12-79)

05. Removal of Insignia. (6-12-79)

a. In the event any unit bearing an insignia is found to be in violation of the codes enumerated in Chapter 41, Title 39, Idaho Code, or these rules, the Division may remove the insignia and shall furnish the owner or his agent with a written statement of violations. (6-12-79)

b. The owner or his agent shall request an inspection after making corrections to bring the unit into compliance before the Division shall issue a replacement insignia. (6-12-79)

06. Lost Insignia. (6-12-79)

a. When an insignia of approval becomes lost or damaged, the Division shall be notified immediately in writing by the owner. The owner shall specify the manufacturer, the unit serial number, and when possible the insignia number. (6-12-79)

b. All damaged insignia shall be promptly returned. Damaged or lost insignia shall, upon payment of the replacement insignia fee as provided in the fee schedule, be replaced by the Division with a replacement insignia, which shall bear the date of issue of the original insignia, and which shall be designated as a replacement insignia,

provided the unit still meets the standards prescribed by these rules. (6-12-79)

019. FEE SCHEDULE.

01. **Manufactured Building Fees.** Other than as herein specified in this section, the fee schedule for manufactured buildings shall be as provided by IDAPA 07.03.06 (Uniform Building Code), and such fees shall be based on the FOB cost to the dealer at the point of manufacture. (1-13-81)

02. **Plumbing and Electrical Fees.** In addition to the fees prescribed in IDAPA 07.03.03.019.01, plumbing and electrical inspection fees in accordance to those prescribed in the Plumbing Laws and Regulations and the Electrical Laws and Regulations shall apply, and shall be paid to the Division. (3-27-95)

03. **Requested Inspection, Out-of-state and Field Technical Service Fees.** Fee equal to total travel cost based on published air fare, or equivalent rate, between Boise, Idaho, and the location of the factory or site plus necessary supplemental surface transportation, and reimbursement for the actual cost of food and lodging plus the fees prescribed in this section. (1-13-81)

04. **Insignia Replacement Fee.** Ten dollars (\$10). (1-13-81)

05. **Plan Review Fee.** For all systems, the plan approval fees shall be charged as specified in IDAPA 07.03.01.015.03, thirty-six dollars (\$36) per hour. (1-13-81)

06. **Insignia Tag Fee.** In instances where building permit fees are not charged for manufactured buildings, a twenty-five dollar (\$25) fee will be charged for an insignia. (3-27-95)

020. SNOW LOADS.

Plans, when required, will be approved by the Division for the indicated designed live load only. Where snow loads occur, acceptance of the designed live load will be subject to the discretion of the local jurisdiction. The approved designed live load is to be indicated on the insignia and permit for manufactured housing. (7-1-86)

021. RECIPROCAL AGREEMENTS.

The provisions for insignia of compliance as specified in a written and signed reciprocal agreement between the Division and any other state shall take precedence over the provisions of these rules. (8-31-78)

022. -- 999. (RESERVED).