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**IDAPA 07
TITLE 03
CHAPTER 12**

07.03.12 - RULES GOVERNING MANUFACTURED OR MOBILE HOME INSTALLATIONS

000. LEGAL AUTHORITY.

In accordance with Section 44-2201, Idaho Code, the administrator of the Idaho Division of Building Safety is authorized to promulgate rules necessary to implement the provisions of Title 44, Chapters 21 and 22, Idaho Code. (5-3-03)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 07.03.12, "Rules Governing Manufactured or Mobile Home Installations," Division of Building Safety. (5-3-03)

02. Scope. These rules apply to the installation of manufactured or mobile homes used for purposes of human habitation (living, sleeping) in the state of Idaho. (5-3-03)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations. (5-25-94)

003. ADMINISTRATIVE APPEALS.

This chapter does provide for administrative relief of the provisions outlined herein. (5-25-94)

004. ADOPTION AND INCORPORATION BY REFERENCE.

The Idaho Manufactured Home Installation Standard (January 1, 2004 edition), as adopted by the administrator, is hereby adopted and incorporated by reference into these rules. A current copy is available for review or copying at the office of the Division of Building Safety, 1090 E. Watertower St., Suite 150, Meridian, Idaho 83642. (3-29-10)

005. APPLICATION -- COMPLIANCE.

01. Application -- State Preemption. The standards referred to in this chapter are considered to be a comprehensive statement of all applicable standards which apply to the installation, alteration or repair of manufactured or mobile homes in Idaho. Cities and counties may not adopt or enforce more or less stringent standards, except as permitted by Section 67-6509(a), Idaho Code, as it pertains to the siting of manufactured homes in residential areas. (5-3-03)

02. Compliance -- Disciplinary Action Against Licensees. Failure to comply with these standards constitutes grounds for imposition of discipline as provided in Title 44, Chapters 21 and 22, Idaho Code, and IDAPA 07.03.11, "Rules Governing Manufactured/Mobile Home Licensing," and these rules. (5-3-03)

006. -- 011. (RESERVED)

012. USE OF MANUFACTURERS' INSTALLATION INSTRUCTIONS.

All new HUD manufactured homes shall be installed in accordance with the manufacturer's Design Approval Primary Inspection Agency (DAPIA) approved installation instructions. In any instance in which there is a conflict between the DAPIA installation instructions and the Idaho Manufactured Home Installation Standards, the DAPIA installation instructions shall supersede and serve as the controlling authority. All manufactured or mobile homes must be installed in accordance with all other applicable state laws pertaining to utility connection requirements. (3-29-10)

013. INSTALLATION PERMITS AND INSPECTIONS REQUIRED.

01. Installation Permit. The owner or the installer of a manufactured or mobile home must obtain an installation permit as required by city or county ordinance before installing a manufactured or mobile home that will be used as a residence on a building site or in a park. The installer must have a current and valid license in effect at the time of the application for the installation permit. (5-3-03)

02. City or County Jurisdiction. Cities and counties, which have by ordinance adopted a building code, shall establish a permit process for the installation of all manufactured or mobile homes within their respective jurisdictions and shall provide for inspection of all work required by the installation provisions of the Idaho Manufactured Home Installation, pursuant to the provisions of Section 44-2202, Idaho Code. Fees for installation permits and inspections shall be as established by the city or county having jurisdiction. (5-3-03)

014. SUPERVISION BY RESPONSIBLE MANAGING EMPLOYEE.

A responsible managing employee, as the term is defined in IDAPA 07.03.11, "Rules Governing Manufactured/Mobile Home Licensing," Subsection 004.18, shall personally supervise any installation of a manufactured or mobile home at its place of occupancy unless the installer licensee personally supervises such installation. (5-3-03)

015. LICENSE SUSPENSION OR REVOCATION.

The administrator may suspend or revoke or not renew any license for any willful or repeated violation of these rules or Title 44, Chapters 21 or 22, Idaho Code. Any such proceeding shall be handled as a contested case and according to the procedures set forth in IDAPA 07.03.11, "Rules Governing Manufactured/Mobile Home Licensing," Title 67, Chapter 52, Idaho Code, and IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (5-3-03)

016. -- 999. (RESERVED)

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