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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.

The owner or the installer of a manufactured or mobile home shall obtain an installation permit in accordance with the requirements of Section 44-2202, Idaho Code. Installation permits shall be obtained from the Division of Building Safety for installations in areas where there is no approved local program, or from a city or county that has by ordinance adopted building codes pursuant to Section 39-4116, Idaho Code, and whose installation program has been approved by the Division. Installation permits shall only be issued to the owner of the manufactured home or to a

licensed installer. The installer must have a current and valid license in effect at the time of the application for the installation permit. All installations shall be inspected and approved by the authority having jurisdiction before the manufactured home is occupied. (3-27-13)

014. INSTALLATION PERMIT FEES.

A city or county whose installation inspection program has been approved by the Division shall establish their own fee schedule for installation permits within their jurisdiction. Permits obtained from the Division shall be accompanied by a fee in accordance with the following schedule: (3-27-13)

01. Single Section Unit. The permit fee for a single section unit shall be one hundred fifty dollars (\$150). (3-27-13)

02. Double Section Unit. The permit fee for a double section unit shall be two hundred dollars (\$200). (3-27-13)

03. More Than Two Sections. The permit fee for a home consisting of more than two (2) sections shall be two hundred fifty dollars (\$250). (3-27-13)

04. Electrical and Plumbing Permits. Electrical and plumbing permits are administered separately from installation permits, and fees for such are separate from the fees identified in Section 014. Such fees shall be paid to the Division or other jurisdiction in accordance with the rules promulgated by the governing boards or local ordinance. (3-27-13)

015. INSTALLATION TAGS REQUIRED.

The owner or installer of a new manufactured home must purchase an installation tag from the Division of Building Safety prior to commencing the installation of a manufactured home in Idaho. Such tag is required regardless of which jurisdiction has authority to perform the installation inspection. The fee for the installation tag shall be fifty dollars (\$50). (3-27-13)

016. APPROVAL OF LOCAL MANUFACTURED HOME INSTALLATION INSPECTION PROGRAMS.

01. Division Approval. A city or county that has by ordinance adopted a building code pursuant to Section 39-4116, Idaho Code, is eligible to participate in the inspection of manufactured and mobile homes. Such local installation inspection program shall be approved by the Division to provide inspection services if the following minimum criteria is met: (3-27-13)

a. Inspections are conducted by the city or county employing inspectors holding a valid certification as residential building inspector from the International Code Council; (3-27-13)

b. Inspectors have attended annual training sessions provided or approved by the Division of Building Safety and received a certificate evidencing successful completion thereof; and (3-27-13)

c. Approval of a city or county's inspection program has not been withdrawn by the Administrator of the Division of Building Safety. (3-27-13)

02. Voluntary Withdrawal. A city or county may voluntarily withdraw from participation in the program to inspect manufactured homes upon providing to the Administrator of the Division of Building Safety ninety (90) days written notice of its intention to do so. (3-27-13)

017. WITHDRAWAL OF APPROVAL OF PROGRAMS.

01. Division Withdrawal. Approval of city or county manufactured home installation program may be withdrawn by the Division of Building Safety if it determines that the city or county's program has failed, upon notification of the program deficiencies, to adequately remedy such deficiencies within a period of time specified by the Administrator. (3-27-13)

02. Administrative Proceedings. Proceedings which may result in the denial or withdrawal of approval shall be conducted in accordance with Title 67, Chapter 52, Idaho Code, and IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (3-27-13)

03. Re-Approval. Re-approval of a program may be made by the Division when it determines that the reasons for the withdrawal have been remedied. (3-27-13)

018. MINIMUM TRAINING REQUIREMENTS FOR INSPECTORS.

01. Annual Training or Instruction. All installation inspectors employed by the Division of Building Safety or a city or county shall complete four (4) hours of annual training or instruction dedicated to the installation and inspection of manufactured and mobile homes. (3-27-13)

02. Division Approval. All training and instruction shall be approved by the Division in order to qualify and satisfy the requirements in Subsection 018.01 of these rules. (3-27-13)

03. Revocation of Approval. Training or instruction approval is subject to revocation by the Division if in its discretion it determines that for any reason the training or instruction fails to meet the intent of furthering the education of manufactured home installation inspectors including, but not limited to, inadequacies in course content or methods of delivery. (3-27-13)

019. QUALITY ASSURANCE.

01. Inspected Installations. Any inspected installation shall be subject to quality assurance reviews by Division of Building Safety at its discretion. Findings made by the Division pursuant to such reviews shall be forwarded to the inspection authority having jurisdiction. (3-27-13)

02. Inspectors and Programs. All inspectors and approved programs including Division of Building Safety shall be subject to review. (3-27-13)

03. Reviews by Division Personnel. Quality assurance reviews shall be performed by Division of Building Safety supervisory personnel who are experienced in and knowledgeable about the installation requirements for manufactured homes. (3-27-13)

04. Division Personnel Training and Certification. Supervisory personnel as identified in Section 019 of these rules, shall meet minimum training and certification requirements for inspectors of manufactured home installations. (3-27-13)

020. MINIMUM SCOPE OF INSTALLATION INSPECTION.

01. Scope. At a minimum, the inspection of the installation of a manufactured home shall include the following by an installer: (3-27-13)

a. Completion of an inspection record document as required by Section 44-2202(5), Idaho Code. The inspection record document shall verify that the installer has visually inspected the installation and shall certify that the exterior and interior close-up processes, including the marriage line and other covered-up components, have been completed; (3-27-13)

b. Delivery of a copy of the completed inspection record document to the homeowner and the authority having jurisdiction; (3-27-13)

c. Verification that all installed ductwork, plumbing, electrical and fuel supply systems are operating properly; and (3-27-13)

d. If applicable, verification that skirting has been installed correctly. (3-27-13)

02. Inspection Minimum Requirements. At a minimum, the inspection of the installation of a

manufactured home shall include the following by an inspector: (3-27-13)

- a.** Verification that site location is suitable for home design and construction, and inspection of site-specific conditions, including preparation and grading for drainage; (3-27-13)
- b.** Inspection of the foundation construction; (3-27-13)
- c.** Verification that installed anchorage meets minimum requirements; and (3-27-13)
- d.** Verification of receipt of a completed inspection record document from the installer. (3-27-13)

021. 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)

022. 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)

023. -- 999. (RESERVED)

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