

TITLE 9

DIVISION 12: MOBILE HOME PARKS PROGRAMS

CHAPTER 1: ASSUMPTION OF RESPONSIBILITY FOR MOBILE HOME PARKS AND TRAVEL TRAILER PARKS

CHAPTER 2: PARK MODELS AND RECREATIONAL VEHICLES STANDARDS

CHAPTER 1: ASSUMPTION OF RESPONSIBILITY FOR MOBILE HOME PARKS AND TRAVEL TRAILER PARKS

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§ 91201.00 ASSUMPTION OF RESPONSIBILITY FOR ENFORCEMENT

Pursuant to Section 18300 of the Health and Safety Code, the County of Imperial hereby assumes responsibility for enforcement of Division 13 Part 2.1 (Section 18200 et. Seq.) of the Health and Safety Code as well as the responsibility for enforcing the building standards as published in the State Building Standards Code relating to mobile home parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the related administrative regulations (collectively referred to as "the Act").

§ 91201.01 ENFORCEMENT RESPONSIBILITY AND ASSIGNMENT OF PERSONNEL

The County of Imperial (Planning & Development Services Department) shall be the enforcement agency as defined by Section 18207 of the Health and Safety Code and will assign, at a minimum, one inspector plus other necessary qualified personnel within the Building Inspection Division of the Planning Department for actual enforcement. The Planning/Building Official shall be the County's responsible project manager and assigned liaison to the State for this purpose.

§ 91201.02 PURPOSE

The County of Imperial desires to implement the Mobile Home Park Act (Program) at the local level rather than through the Housing and Community Development Department, State of California.

This will allow park residents, owners, operators, and developers to work with the local agencies in a more convenient manner, assist the State in meeting its obligation and facilitates permit streamlining.

§ 91201.03 PROGRAM AND OBJECTIVES

The County hereby adopts the program and objectives as set forth in the provisions of the Health and Safety Code Division 13 Part 2.1 (Section 18200 et. seq.) and related administrative regulations.

Specified local objectives include, but are not limited to the following: maintenance of open space and adequate light and ventilation; reduction of the threat of fire; and provisions of adequate public utilities, including water and sewer. The County intends to continue the standard of enforcement heretofore assumed by the State and to cause facilities to be brought into compliance as contemplated by the Act. Inspection of the mobile home parks which are in compliance will be undertaken to assure continued compliance with the Act. The County intends to enforce and implement the program to include all parks currently under jurisdiction of the Department of Housing and Community

Development and any new parks.

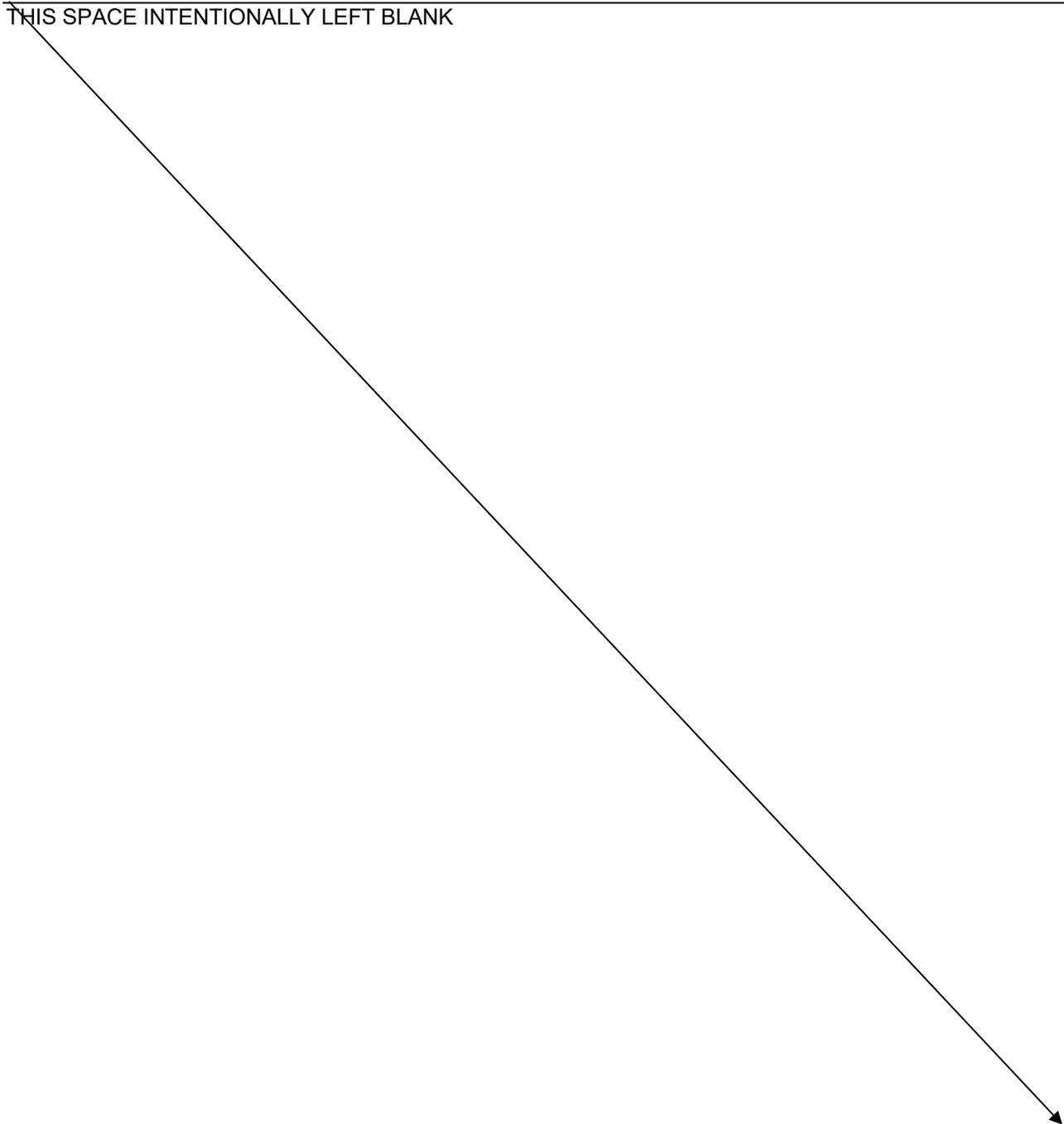
§ 91201.04 EFFECTIVE DATE

The effective date of the assumption of responsibilities was and shall be December 31, 1984.

§ 91201.05 FEES

The County of Imperial hereby adopts the fee schedules as contained in the provision of the Health and Safety Code Division 13 Part 2.1 and the related administrative regulations, and as amended from time to time.

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TITLE 9

DIVISION 12: MOBILE HOME PARKS PROGRAMS

CHAPTER 2: PARK MODELS AND RECREATIONAL VEHICLES STANDARD

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- § 91202.04 RV REMOVAL

§ 91202.00 GENERAL; NEED FOR STANDARD

Members of the engineering profession and others associated with the design, manufacture, and inspection of recreational park trailers have been aware of the need for a standard providing for healthful and safe portable, seasonal housing, arranged and equipped to assure suitable living conditions. They have also recognized that because of conditions of transport, size and use, existing standards for permanent buildings and recreational vehicles are not completely applicable to recreational park trailers. It is with these factors in mind that this standard has been developed.

In determining the acceptability of installation or procedures, equipment or materials, the authority having jurisdiction may base acceptance on compliance with this or other appropriate standards. In absence of these standards, said authority may require evidence of proper installation, procedure or use. The authority having jurisdiction may also refer to the listings or labeling practices of an organization concerned with product evaluation, which is in a position to determine compliance with appropriate standards for current production of listed items.

§ 91202.01 DEFINITIONS

Recreational Park Trailer. A trailer type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use that meets the following criteria:

- a) Built on a single chassis mounted on wheels.
- b) Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set up mode and if less than 320 square feet (29.72 square meters) in the setup mode would require a special movement permit for highway transit.
- c) Certified by manufacturer as a complying with ANSI A119.5

Recreational Vehicle. A vehicular type unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use, that either has its own motive power, or is mounted on, or towed by another vehicle. The basic entities are: camping trailer, fifth wheel trailer, motor home, travel trailer and truck camper.

These definitions are common to:

- The Recreational Park Trailer Standard
- The 2019 Mobile Home Residency Law
- The Health and Safety Code
- The Regulations for Mobile Home Parks and Recreational vehicle parks
- The Manufactured Home Procedural and enforcement regulations.

§ 91202.02 REGULATIONS

Earlier RV Exemptions did not establish a bright line between RV's, which are designed for temporary, seasonal, or recreational use, and manufactured housing which is designed to be permanent, year-round dwelling.

In the fall of 2014, HUD determined that some manufacturers were producing park model recreational vehicles (PMRVs) also known as recreational park trailer, which were in excess of the recreational vehicle exemption's 400 square feet threshold.

HUD asserts that its requirement is distinguishable from the RV industry association's because (1) HUD's requirement for a manufacturer's notice applies to all RVs built and certified to ANSI A119.5-15 standards, not just RVs with the RV Industry Association seal; and (2) HUD requires its notice to be placed more conspicuously than the RV Industry Association seal and serves to inform consumers about the standards to which the unit was built, which the agency's belief differs from the purpose of an RV Industry Association seal.

"The Manufacturer of this unit certifies that it is a park model recreational vehicle designed only for recreational use, and not for use as a primary residence or for permanent occupancy. The new rule creates a clear distinction between manufactured housing and recreation vehicles. This provides regulatory certainty. The rule took effect on January 15, 2019.

A Recreational vehicle is a vehicle, regardless of size, which is not designed to be used as a permanent dwelling, and in which the plumbing, heating, and electrical system contained therein may be operated without connection to outside utilities and which are self-propelled or towed by a light duty vehicle.

New installation of recreational vehicles in an approved RV Park may be located and occupied for a maximum of 30 days, except that the transient use may be extended for temporary management, seasonal workers or as convenient subject to the following:

- a) Persons occupying vehicles with total hook-up capacity, including sewer, water and electricity, shall not occupy any space in a recreational vehicle park for a period exceeding 150 days in any 12-month period.
- b) Persons occupying vehicles with less than total hook-up capacity shall not occupy any recreational vehicle park for a period exceeding 90 days in any 12-month period.
- c) All vehicles within the park shall be kept mobile so that they may be moved within one hour if required.
- d) Adequate space shall be provided within each recreation vehicle space to accommodate one additional vehicle for the purpose of off-street parking.
- e) All Recreational vehicles within the park shall be duly licensed and active with the Department of Motor Vehicles (DMV) and operational at all times.
- f) The recreational vehicle park manager shall maintain a log of the names of persons and dates of occupancy of spaces. The log shall be made available to a Code Enforcement officer as to compliance with these occupancy limitations.

The County takes into consideration any special condition as location, physical environment, density of usage, type of operation, type of vehicles to be accommodated, and duration of occupancy, reasonable and necessary for the protection of life and property.

If a recreational vehicle (RV or PMRV) with a transient permit is extended and therefore considered a permanent dwelling, it shall conform to the definitions in Chapter 2 of Title 9 Division 10. A certification by a national recreational vehicle inspection association (NRVIA) must be submitted to the Planning & Development services Department. And, every five years since then and must be approved by the department, and the designated RV space or lot must have a permanent constructed utilities closet with the required dimensions, doors, and ventilation; the appliances or equipment with the required hot and cold water; sewer and electrical connections, and transition fittings for the RV systems.

Technical Service Fee: Any person or RV Park issued a notice indicating violations pursuant to this section, shall obtain the required permit from the enforcement agency and pay the appropriate fee as

prescribed in this article:

- a. Fees for technical services provided by the enforcing agency shall be: One hundred ninety six dollars (\$196) providing the technical service does not exceed one hour. When the technical service exceeds one hour, the following fees shall apply:
 - i. Second and subsequent whole hours: eighty-two dollar (**\$82**)
 - ii. Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41)

§ 91202.03 UNLAWFUL OCCUPANCY

It is unlawful to rent a space for travel trailer, tent, or other vehicle used for living and/or sleeping, which is unsightly. It shall be refused by the owner or operator of the RV Park to every owner or occupant of a travel trailer, Tent, or other vehicle which is unsightly (including but not limited to: damaged roofing or siding materials, damaged/missing windows, doors or screen doors, cracked or peeling exterior paint, and more) or is a fire hazard, or health menace as determined by the Imperial County Planning & Development Services Department.

New Occupancy. The person who holds the license for the operation of an RV park shall not allow a newly installed recreational vehicle to be occupied unless he has ascertained that all code and ordinance requirements regarding that installation have been met.

"Defaulting Occupant" means an occupant who fails to pay for his/her occupancy in a park or who fails to comply with reasonable written rules and regulations of the park given to the occupant upon registration.

§ 91202.04 RV REMOVAL

At the entry to a Recreational Vehicle Park, or within the separate designated section for recreational vehicles within a Mobile Home Park, there shall be displayed in plain view on the property a sign indicating that the recreational vehicle may be removed from the premises for the reasons specified under 91202.03 Unlawful occupancy. It shall contain the telephone number of the Local Traffic Law Enforcement Agency. Nothing in this Section shall prevent Management from additionally displaying a sign in other locations within the park.

A written 72-hour notice shall state that if the defaulting occupant does not remove the recreational vehicle from the premises of the park within 72 hours after receipt of the notice, Management has authority to have the Recreational Vehicle removed from the lot to the nearest secured storage facility . Subsequent to serving a copy of the notice specified in this article to the City Police or County Sheriff, whichever is appropriate, and after the expiration of 72 hours following service of the notice on the defaulting occupant, the Police or Sheriff shall remove or cause to be removed any person in the recreational vehicle. Management may then remove or cause the removal exercising reasonable and ordinary care of a defaulting occupant's recreational vehicle parked on the premises of the park to the nearest secured storage facility . The notice shall be void seven (7) days after the date of service of the notice.