

RESOLUTION NO. 13-03

Date Adopted: 01-15-2003

Date Published: _____

A RESOLUTION AMENDING ARTICLE VII OF CHAPTER 6 OF THE SEDGWICK COUNTY CODE; REVOKING SEDGWICK COUNTY RESOLUTION 25-2000; ESTABLISHING MANUFACTURED HOUSING INSTALLATION REGULATIONS IN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS; ESTABLISHING LICENSING REQUIREMENTS FOR MANUFACTURED HOUSING INSTALLATION CONTRACTORS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; ESTABLISHING TRUTH IN ADVERTISING REQUIREMENTS; AND SETTING FORTH PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, on the 25th day of August, 1993, the Board of County Commissioners adopted Resolution No. 159-1993, which resolution adopted the *Sedgwick County Code*; and

WHEREAS, pursuant to K.S.A. 19-101a, et seq., as amended, the Board of County Commissioners of Sedgwick County, Kansas (hereinafter "County") is authorized to enact local legislation which includes the power to enact rules and regulations governing the installation of manufactured housing in the unincorporated area of Sedgwick County, and establishing licensing requirements therefor; providing for the issuance of permits and the collection of fees therefor; and setting forth penalties for violations thereof; and

WHEREAS, on the 1st day of March, 2000, the Board of County Commissioners adopted Resolution No. 25-2000, effective April 12, 2000, which resolution adopted the current Manufactured Housing Code, Article VII of Chapter 6, Sections 6-350 to 6-399 of the *Sedgwick County Code*.

WHEREAS, it is the purpose of the Manufactured Housing Code to regulate the installation of manufactured housing to promote the health, safety, and the general welfare of the citizens of Sedgwick County who contract for the installation of a manufactured home, or who intend to undertake such installation personally.

WHEREAS, the Board of County Commissioners finds that it has been advised by the present Board of Building Examiners, and thereupon deems it necessary to amend the Sedgwick County Code by adopting a new Manufactured Housing Code as contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION 1: AMENDMENTS TO CHAPTER 6, ARTICLE II. Article VII of Chapter 6 of the Sedgwick County Code is hereby amended in its entirety, and shall read as follows:

Sec. 6-350 Adopted. The provisions of this resolution are hereby adopted as the Manufactured Housing Code of Sedgwick County, Kansas, for the unincorporated area of the county, and for those second- and third-class cities located therein which have by action of their governing bodies adopted the Manufactured Housing Code in the same form as herein contained and which have entered into a separate agreement with the county for enforcement within their municipal boundaries and conferring jurisdiction upon the county for all prosecutorial function relating thereto. This provisions of this resolution shall supersede and cancel any and all prior resolutions adopted by the Board of County Commissioners of Sedgwick County, Kansas, with regard to the subject matter contained herein.

Sec. 6-351 Definitions. As used herein:

Accessory building means any building or structure, or portion thereof, located on the same property as a manufactured home which building or structure does not qualify as a manufactured home as defined herein.

Building official means the department director of the Sedgwick County Department of Code Enforcement.

Code enforcement officer means the official or other authorized representative charged with the administration and enforcement of this resolution. The terms "building official," "inspector," and "department director" of the Sedgwick County Department of Code Enforcement are synonymous. The code enforcement officer as defined in K.S.A. 19-101d(b)(2), shall have the power to sign, issue and execute uniform complaints and notices to appear as set out by K.S.A. 19-101d.

Design professional means a registered and licensed professional engineer or architect of the State of Kansas.

Ground anchor means any device designed to secure a manufactured home or mobile home to the ground.

Manufactured home means a dwelling unit built on or after June 15, 1976, which is fabricated in one or more sections at a location other than the home site by assembly line-type production techniques or by other construction methods unique to an off-site manufacturing process. Every section shall bear a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards generally known as the HUD code established pursuant to 42 U.S.C. 5403. A manufactured home is designed to be towed on its own chassis or be site delivered by alternative means. A manufactured home shall be transportable in one or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site is three hundred

twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term “manufactured home” does not include a recreational vehicle.

Manufactured home community means a parcel of land which has been planned and improved in some manner, and used or intended to be used by one or more occupied mobile homes or manufactured homes not placed on permanent foundations. The term manufactured home community does not include sales lots on which unoccupied mobile or manufactured homes, whether new or used, are parked for the purpose of storage, inspection or sale, nor does it include a tract of land on which a manufactured home as a second dwelling unit has been permitted on a temporary basis as a conditional use in accordance with the UZC.

Manufactured home installation contractor means a contractor who has been licensed as required by Sec. 6-356 of this article to obtain required permits to perform blocking, anchorage, tie-down installation, and skirting installation as required by this article.

Manufactured home space means a plot of ground within a manufactured home community or nonconforming or nonstandard mobile home community which is to accommodate one manufactured home or mobile home and which provides service facilities for water, sewage and electricity.

Manufactured home subdivision means a subdivision within the “MH” manufactured housing zoning district which is platted for development as individual home sites for manufactured homes, modular homes, residential-design manufactured homes and/or site-built single-family dwellings, to be placed on permanent foundations as required for permanent structures.

Mobile home means a movable, detached single-family dwelling unit that was manufactured prior to June 15, 1976 and is not in conformance with the National Manufactured Home Construction and Safety Standards Act, or HUD code, as is now required for a manufactured home. Such units shall provide all of the accommodations necessary to be a dwelling unit and shall be connected to utilities in conformance with all applicable regulations. The term “mobile home” does not include a recreational vehicle.

Modular home means a structure consisting of one or more components manufactured off-site in conformance with the standards of the current one- and two-family dwelling code of Sedgwick County, Kansas, and related technical codes, and that is moved to the construction site for final assembly as a dwelling unit, and is placed on a permanent foundation as required for a permanent structure.

Occupy, occupancy, or occupied means the use of any mobile home, manufactured home or recreational vehicle by any person for living, sleeping, cooking or eating purposes.

Operator means the person or business that has charge, care or control of a licensed or unlicensed manufactured home community, nonconforming or nonstandard manufactured or mobile home community, park, or camp or portion thereof, and/or the person or business that holds the license for a manufactured home community, a nonconforming or nonstandard mobile home park or camp.

Park means manufactured home community or nonconforming or nonstandard mobile home park.

Person means any individual, firm, trust, partnership, association or corporation.

Pier means one of the structural supports, required by the uniform standard code for mobile homes and recreational vehicles, for a manufactured home which is not secured to the ground on a permanent foundation.

Recreational vehicle means a unit designed as temporary living quarters for recreational, camping or travel use that has a body width not exceeding eight feet and a body length not exceeding 40 feet. Units may have their own power, or be designed to be drawn or mounted on an automotive vehicle. Recreational vehicle shall include motor homes, travel trailers, truck campers, camping trailers, converted buses, house boats or other similar units as determined by the Director of Sedgwick County Department of Code Enforcement. A recreational vehicle may or may not include individual toilet and bath.

Residential-design manufactured home means a manufactured home on a permanent foundation which has minimum dimensions of twenty-two (22) body feet in width, a pitched roof, and siding and roofing materials which are customarily used on site-built homes, and complies with the architectural and aesthetic standards specified in Section IV-D of the UZC. A residential-design manufactured home shall be considered a single-family dwelling.

Roadway means any private street located within a community, park or camp and providing for the general vehicular and pedestrian circulation within the community, park or camp.

Roof protector means a device designed to prevent over-the-top tie downs from damaging or penetrating the roof material.

Tie down means any device designed for the purpose of anchoring a manufactured home to ground anchors.

UZC means Wichita-Sedgwick County Unified Zoning Code, as currently adopted by the Board of County Commissioners of Sedgwick County.

Nothing hereunder shall pertain to “job trailers,” “construction trailers,” “portable classrooms,” or “portable offices.”

Sec. 6-352. Permits Required for Installation of Manufactured Homes.

A. A manufactured home installation permit shall be obtained from the Sedgwick County Department of Code Enforcement, 1144 South Seneca, Wichita, Kansas, for every manufactured home which is installed or relocated within the unincorporated area of Sedgwick County. Every manufactured home which is installed in an incorporated area of Sedgwick County that has adopted this Article and entered into an enforcement agreement with Sedgwick County, shall obtain permits from that incorporated entity. The purpose of such manufactured home installation permit is to assure that manufactured homes are anchored and placed on footings and foundations and skirted as required by Sec. 6-367, 6-369 A, 6-368, and 6-361 B (1) of this resolution, and that such manufactured homes are appropriately skirted with an approved fire-resistive material as required by Sec. 6-361 B (1) of this resolution. Manufactured home installation permits shall be obtained prior to installation of any manufactured home within the unincorporated area of Sedgwick County.

Permits and inspections for any building, electrical, plumbing, mechanical, or construction work other than manufactured home anchorage, footings and foundations, or skirting, as outlined above, shall be obtained as required by the building, electrical, plumbing, mechanical and health codes as currently adopted by the Board of County Commissioners of Sedgwick County Kansas.

A copy of the third party inspection report shall be presented when purchasing all modular home permits. No permit shall be issued without a third party inspection report.

B. Manufactured home installation permits shall only be obtained by a licensed manufactured home installation contractor as defined in this resolution, or by a homeowner if they are installing a personal residence. No manufactured home installation permit shall be issued to any manufactured home installation contractor who has not first obtained a license, or who is delinquent in payment of the required annual license fee, or whose license has been suspended or revoked by action of the board of building examiners and appeals.

C. A violation of this section is a Class I offense.

D. *Permit fees.*

(1) There is hereby established a fee in the amount of \$65.00 for a permit for the installation of each manufactured home installed in a manufactured home community in Sedgwick County.

(2) There is hereby established a fee in the amount of \$.13 per square foot for all other permits issued pursuant to this code, except as provided below. This fee is applicable to manufactured homes with no basement and for manufactured homes

with an unfinished basement. A fee in the amount of \$.17 per square foot is hereby established for manufactured homes with finished basements.

Sec. 6-353. Inspections for Manufactured Homes.

All construction or work for which a manufactured home installation permit is required shall be subject to inspection by Department of Code Enforcement. A survey of the lot may be required by the Department of Code Enforcement to verify that the structure is located in accordance with the approved plans.

It shall be the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. Neither the Department of Code Enforcement nor the County shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

It shall be the duty of the person doing the work authorized by a manufactured home installation permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day prior to when such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

Sec. 6-354. Required Inspections.

The manufactured home shall not be occupied prior to obtaining temporary final inspection approval by the Office of Code Enforcement of the following:

- (1) Footings and setbacks, if required, before concrete is placed.
- (2) Stem wall, if required, before concrete is placed.
- (3) Blocking, pursuant to K.S.A. 75-1231 and drawings available for inspection at the office of Sedgwick County Code Enforcement, 1144 S. Seneca, Wichita, Kansas.
- (4) Tie down, pursuant to K.S.A. 75-1227 through 75-1230 inclusive and the standards on file in the Department of Code Enforcement and incorporated herein by reference.
- (5) Electrical service connection as set forth at Sec. 6-363.
- (6) Fuel gas connection as set forth at Sec. 6-364.
- (7) Handrails and outside stairs, at each exit, as set forth at Sec. 6-360 B (2) and (3).

- (8) Electric or gas meters shall not be released to the utility company until the home is blocked and tied down as set forth at Sec. 6-367 and Sec. 6-369 and K.S.A. 75-1227 through 75-1230.

When the inspections set forth above have been approved by the Department of Code Enforcement, a temporary occupancy certificate will be issued. The manufactured home shall not be skirted, pursuant to the provisions of Sec. 6-361.B(1), before the temporary final inspection.

It shall be a violation of this article to occupy a manufactured home until a temporary occupancy certificate has been issued. Occupying a manufactured home without a temporary occupancy certificate shall be a class H offense.

Sec. 6-355. Inspection Record Card.

It shall be the duty of the person doing the work authorized by a manufactured home installation permit that such work shall not be commenced until the permit holder or the permit holder's agent shall have posted an inspection record card on the front door in the upper portion as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained in such position by the permit holder until final approval has been issued by the building official.

Sec. 6-356. License Required.

It shall be unlawful for any person, firm, corporation, or other entity to engage in the business of contracting to perform, provide, broker or sub-contract for manufactured home installation, or to perform any work as a manufactured home installation contractor, without first having secured a manufactured home installation contractor's license. A violation of this section is a Class I offense.

Sec. 6-357. Licensing Authority.

A. *Obtaining a license.* To obtain and retain an appropriate manufactured home installation contractor's license (S-4), a person shall:

- (1) *Application.* File a completed application with the Sedgwick County Department of Code Enforcement, on forms provided by the Department of Code Enforcement, and payment of an application fee of \$25.00.
- (2) *Examination.* Pass one of the following examinations with at least a score of 75%:

- (a) The Manufactured Housing Installer’s test administered by the Department of Code Enforcement. This test requires payment of an examination fee of \$100.00; or
 - (b) The “Block Test,” an examination now administered by Experior, 2100 NW 53rd Avenue, Gainesville, Florida 32653-2149. Application for examination available at the Sedgwick County Department of Code Enforcement.
- (3) Pay the appropriate triennial license fee as provided below.
 - (4) Submit proof of insurance in the following amounts:
 - (a) Worker's compensation insurance for all employees to be engaged in work on any site regulated by this code.
 - (b) Comprehensive general liability insurance in an amount not less than three hundred thousand dollars (\$300,000) each occurrence and aggregate for bodily injury and property damage combined.

B. *Recognition of equivalent licenses.* Equivalent manufactured home installation contractor’s licenses issued by the City of Wichita shall be recognized as valid, provided that said license is current in the City of Wichita, and provided that all other requirements of said licensing in the county as prescribed herein are satisfied, including the filing of an appropriate application form, payment of the required fees and obtaining of the required permits.

C. *Triennial license fee.* Manufactured home installation contractor’s licenses shall be sold in three (3) year county-wide increments, and are valid for three (3) years, and are therefor referred to as “triennial” licenses. A license is renewable up to March 1st after expiration of any triennial license period. The manufactured home installation contractor’s triennial license fees are as follows for the year 2003, and triennially thereafter: \$300.00.

The license fee charged to new applicants will be prorated, based on the current year of the three-year cycle. License fees are subject to change with the Sedgwick County Board of County Commissioners approval, and the official current license fee schedule shall be maintained by the building official.

Sec. 6-358. Violations of manufactured home installation contractor’s license requirements; hearing; penalties.

A. At the request of the building official, a hearing before the board of building examiners and appeals shall be held to determine whether there has been any violation of any of the licensing requirements contained herein and whether the manufactured home installation

contractor's license should be suspended or revoked. If any violation is found, the board may order any or all of the following:

- (1) No further manufactured home installation permits will be issued to the violating licensee until such time as the violation is abated.
- (2) All inspections of further work performed by the violating licensee will be suspended until such time as the violation is abated, excepting extreme hazard or life safety inspection.
- (3) A license review, subjecting the violating licensee to possible suspension or revocation of the manufactured home installation contractor's license.

B. If a manufactured home installation contractor's license is revoked as provided herein, the violating licensee shall be barred from obtaining another such license for a period of twelve (12) months from the date of the revocation order. Following a suspension or revocation period, a violating licensee who wishes to obtain a manufactured home installation contractor's license shall follow the application procedure set forth in Section 6-357.A.

Sec. 6-359. Revocation.

A. *Notice.* The Code Enforcement Officer may, upon his own motion, and shall upon the verified complaint in writing of any person, require any manufactured home installation contractor to appear before the board of building examiners and appeals for hearing upon ten (10) days' notice in writing, and mailed to the manufactured home installation contractor's last known address, and such board shall have the power to place on probation for a specified time period, temporarily suspend or permanently revoke the license if the holder thereof is found guilty or commits any one or more of the following acts or omissions:

- (1) Abandonment of any contract without legal cause;
- (2) Diversion of funds or property received for performance or completion of a specific contract, or for a specified purpose in the performance or completion of any contract, and their application or use for any other contract obligation or purpose, or the failure, neglect or refusal to use such funds or property for the performance or completion of such contract;
- (3) Fraudulent departure from or disregard of plans or specifications in any material respect, without consent of the owner or his duly authorized representative;
- (4) Wilful and deliberate disregard and violation of the provisions of this resolution or any other resolution of the County, or failure to comply with any lawful order of the code enforcement officer;

- (5) Failure to keep records showing all receipts and disbursements of the licensee in all transactions as a manufactured home installation contractor as the term is defined herein, and to produce the same for examination by the code enforcement officer;
- (6) Misrepresentations of material fact by application in obtaining a license or permit;
- (7) The doing of any fraudulent act by the licensee as a manufactured home installation contractor in consequence of which another is substantially injured;
- (8) Fraudulent use of license to obtain manufactured home installation permits for another;
- (9) Carelessness or negligence in providing reasonable safety measures for the protection of workmen and the public;
- (10) Failure to obtain permits as required in Sec. 6-352 hereof;
- (11) Failure by a firm, corporation, or other entity to have an active member or officer who has been approved as a licensed manufactured home installation contractor as required pursuant to Sec. 6-356.

B. *Lapse of license.* A manufactured home installation contractor's license that has not been suspended or revoked, but for which the renewal fee has not been submitted on or before March 1st following the expiration of a triennial license period, shall be deemed to have lapsed. Renewal of a lapsed license shall be allowed upon the person's request, and completion of the application procedure set forth in Section 6-357.A.

Sec. 6-360. Manufactured Homes in the County.

A. All manufactured homes installed in the unincorporated area of Sedgwick County, or an incorporated area of Sedgwick County that has adopted this Article and entered into an enforcement agreement with Sedgwick County shall be placed only in accordance with the provisions of the UZC. After August 29, 1997, no mobile home, as defined in this Code, shall be moved, relocated or otherwise placed on any property, including within any manufactured home community, manufactured home subdivision, or on an individual lot, whether platted or unplatted.

B. All manufactured homes installed in the unincorporated area of Sedgwick County, or an incorporated area of Sedgwick County that has adopted this Article and entered into an enforcement agreement with Sedgwick County, shall conform to the following standards:

- (1) The manufactured home shall be placed on a permanent enclosed perimeter foundation, or be skirted around the perimeter of the home, within forty-five (45) days of the placement of the home, by solid concrete or masonry walls or a

material designed to be used as manufactured home skirting that does not have a flame spread rating in excess of twenty-five (25). Vinyl skirting shall be a minimum of thirty (30) mil thickness and metal skirting shall have vertical metal supports of at least twenty (20) gauge thickness spaced not more than five (5) feet on centers. All skirting over twenty-six (26) inches in height shall be supported with vertical supports spaced not more than three (3) feet on centers, and a horizontal support centered between the ground and the bottom of the manufactured home of at least twenty (20) gage metal. Metal and vinyl skirting shall be fastened with screws, or by other means, to manufacturers' specifications;

- (2) The manufactured home shall be provided with handrails on all outside stairs that have four (4) or more risers from grade to finished floor elevation. Outside stairs shall be constructed to the standards of the current one- and two-family dwelling code of Sedgwick County, Kansas.
- (3) The manufactured home shall have stairs, porches and handrails constructed so as to be structurally sound and which shall comply with the standards of the current one- and two-family dwelling code of Sedgwick County, Kansas. Wooden stairs, porches and handrails that are subject to weather shall be constructed with either wood of natural resistance to decay and/or termites or with treated wood. Field treatment of lumber is not acceptable.
- (4) A manufactured home shall be limited to use as a single dwelling unit.
- (5) Accessory buildings shall be classified as to occupancy by the building official as set forth in the current one- and two-family dwelling code of Sedgwick County, Kansas.
- (6) Manufacturers' installation instructions are the minimum standards for the installation of the manufactured home.
- (7) The manufactured home shall meet the appropriate section of currently adopted codes of Sedgwick County, i.e., commercial building, one- and two-family dwelling, plumbing, mechanical, electrical and zoning codes.
- (8) *Manufactured Home Communities.* All structures within manufactured home communities, whether permanent or temporary, shall be setback at least 20 feet from public street rights-of-way, at least ten feet from all lot lines and at least five feet from the travel lanes of private roadways. A minimum separation of ten feet shall also be maintained between all manufactured home units within the manufactured home community.
- (9) *Manufactured Communities Subdivisions.* All structures within manufactured home subdivisions shall be setback at least ten feet from public street rights-of-

way, at least ten feet from all public street rights-of-way and at least five feet from all other lot lines. Garage and carport entrances shall be set back at least 20 feet from public street rights-of-way.

Sec. 6-361. Existing Occupancy.

A. Manufactured homes which are in existence at the time of the adoption of this resolution may have their existing use or occupancy continued if such use or occupancy was legal at the time of the adoption of this resolution, provided that such continued use is not dangerous to life, health and safety.

B. The use or occupancy of any existing manufactured home shall not be changed unless evidence satisfactory to the code enforcement officer is provided to show compliance with all applicable provisions of the codes adopted by Sedgwick County. Upon any change in use or occupancy, the manufactured home shall cease to be classified as such within the intent of this resolution.

Sec. 6-362. Electrical Service.

A. Homes placed in manufactured home communities shall have a main disconnect and shall be a main breaker only. Homes placed in areas other than manufactured home communities shall have a main breaker and room for a minimum of two single pole breakers. The minimum size electrical service shall be 100 amps. Disconnect means shall be within thirty (30) feet of the home. Fusible disconnects are not acceptable. The size of the electrical service shall be determined by the nameplate on the home or in compliance with the current Sedgwick County electrical code. All homes shall be hard-wired. No cord and plug connected homes shall be permitted. All electrical wiring shall comply with applicable provisions of the current Sedgwick County electrical code. No power lines shall be permitted to lie on the ground or to be suspended less than fifteen (15) feet above the ground over any roadway, parking or service area. All electrical work shall be completed by a licensed manufactured home electrician or licensed electrical contractor.

B. Manufactured Home Service Equipment. The manufactured home service equipment shall not be permitted to be installed in or on a manufactured home.

Sec. 6-363. Fuel Gas.

A. Gas piping shall not be installed underground beneath buildings or that portion of the manufactured or mobile home or recreational vehicle lot reserved for the location of manufactured or mobile homes or recreational vehicles, manufactured or mobile home or recreational vehicle accessory buildings or structures, concrete slabs or automobile parking, unless installed in a gas tight conduit.

B. For each individual manufactured home there shall be a gas stop cock and an American Gas Association approved flexible outdoor connector. Maximum length of flexible connector shall be six (6) feet.

C. Approved gas piping shall extend laterally out from under the home a minimum of six (6) inches. No flex connectors or shutoff valves shall be allowed under the home. Permanent foundations shall be sleeved.

D. All gas piping work shall be completed by a certified manufactured home plumber, a licensed plumbing contractor, or a licensed LP installer.

E. In addition, the provisions of the currently adopted Sedgwick County plumbing code shall apply to fuel gas piping installed to a manufactured home.

Sec. 6-364. Alterations and Additions to Manufactured Homes or Mobile Homes.

A. Alterations and additions to manufactured homes or mobile homes which are affected by provisions contained in this chapter, within or to a park and facilities, shall be made only after application to the code enforcement officer and then only in conformity with all of the sections of this code.

B. No permanent additions shall be made to a manufactured home or mobile home, including any non-conforming units, unless the manufactured home or mobile home is on a permanent foundation and all applicable building permits have been obtained. Such additions shall comply with the current one- and two-family dwelling code of Sedgwick County, Kansas. No single wide or double wide manufactured home or mobile home shall be combined with or attached to another manufactured home or mobile home unless such manufactured home or mobile home units are specifically constructed to HUD codes to be so combined.

C. Accessory buildings shall not be structurally supported by or attached to a manufactured home or mobile home unless engineering calculations are submitted to substantiate any proposed structural connections.

D. Such additions may themselves be a certified manufactured home unit or they may be site built. When additions are site built, they must be structurally separated from the existing manufactured home or mobile home unless engineering calculations are provided to show that the existing manufactured home can safely sustain additional vertical and horizontal loads.

Sec. 6-365. Manufactured Home Ground Anchors.

Every new or relocated manufactured home installed after the effective date of this resolution shall be anchored in accordance with the manufacturer's printed instructions complying with the National Manufactured Home Construction and Safety Standards Act and any regulations promulgated thereunder. It shall be the responsibility of the manufactured home

owner or licensed manufactured home installer to demonstrate compliance with this anchoring requirement, and in the event the owner or licensed manufactured home installer is unable to do so, the manufactured home shall be anchored in the following manner:

A. Ground anchors shall be attached both to the frame and to straps or cables that pass from one side over the top and down the opposite side.

B. Ground anchors shall be clearly marked with identification as required by K.S.A. 75-1228, and as noted on approved certificates issued by the Director of the Architectural Services Division of the State Department of Administration.

C. Each ground anchor shall be capable of withstanding a vertical pull force of four thousand seven hundred fifty (4,750) pounds in place.

D. The number of anchors required shall be: Three on each lengthwise side for manufactured homes not less than thirty-six (36) feet nor more than fifty (50) feet in length; four (4) on each lengthwise side for manufactured homes more than fifty (50) feet but not more than seventy (70) feet in length; and five (5) on each lengthwise side for manufactured homes more than seventy (70) feet in length. Anchors shall be spaced such that each anchor will resist approximately the same force as the others.

E. Strap or cable tie-downs used to connect the manufactured home to its anchors shall be of a type that is marked with identification as required by K.S.A. 75-1228, and as noted on an approved certificate issued by the Director of Architectural Services Division of the State Department of Administration.

F. Corner roof protectors shall be used with over-the top cables or straps which are not factory-installed with the manufactured home.

Sec. 6-366. Residential-design manufactured homes.

Residential-design manufactured homes shall be subject to the following standards.

A. *Roof.* The roof must be predominantly double-pitched and have a minimum vertical rise of 2.2 inches for every twelve inches of horizontal run, and must be covered with material that is customarily used on site-built dwellings, including approved wood, asphalt composition shingles, or fiberglass, but excluding aluminum, corrugated fiberglass, or metal roof. The roof shall have a minimum eave projection and roof overhang of ten inches, which may include a gutter.

B. *Siding.* Exterior siding shall be of a material customarily used on site-built dwellings, which does not have a high gloss finish, such as wood, composition, simulated wood, clapboards, convention vinyl or metal siding, brick, stucco, or similar materials, but excluding smooth, ribbed or corrugated metal or plastic panels. Siding material shall extend below the top

of the exterior of the foundation or curtain wall or the joint between siding and enclosure wall shall be flashed in accordance with the current one- and two-family dwelling code of Sedgwick County, Kansas.

C. *Installation.* A continuous, permanent concrete or masonry foundation or masonry curtain wall, unpierced except for required ventilation and access which may include walk-out basements and garages, shall be installed under the perimeter of the home.

D. *Entrance landing area.* At the main entrance door there shall be a landing that is a minimum of three feet by three feet which is constructed to meet the requirements of the current one- and two-family dwelling code of Sedgwick County, Kansas.

E. *Transport equipment.* All manufactured home running gear, tongues, axles, and wheels must be removed at the time of installation of the home on the lot.

F. *Finished floor elevation.* The finished floor of the residential-design manufactured home shall be a maximum of 24 inches above the exterior finish grade of the lot on which it is located, as measured at the main entrance into the dwelling.

G. *Attached additions.* Any attached addition shall comply with the current one- and two-family dwelling code of Sedgwick County, Kansas. The architectural and aesthetic standards, as specified above, shall be applicable to all additions. All additions shall have a drawing sealed by a design professional.

H. *Basements and foundations.* Plans and specifications for foundations and basements under manufactured homes are on file in the Department of Code Enforcement and are incorporated herein by reference and made a part of this resolution as though fully set out herein. Copies of these plans and specifications are available upon request. Plans submitted by homeowners which vary from the plans on file at the Code Enforcement office must be sealed by a design professional.

Sec. 6-367. Manufactured Home Blocking.

Every new or relocated manufactured home installed after the effective date of this resolution shall have a support system in accordance with the manufacturer's printed instructions complying with the National Manufactured Home Construction and Safety Standards Act and any regulations promulgated thereunder. It shall be the responsibility of the manufactured home owner or licensed manufactured home installer to demonstrate compliance with this requirement and in the event the owner or licensed manufactured home installer is unable to do so, the manufactured home shall be mounted on masonry piers in the following manner:

A. Blocking footings for piers shall be installed directly under the main frame or chassis of the manufactured home. Blocking footings shall be placed on stable, undisturbed soil from which grass or organic material has been removed, or in controlled fill free of organic

materials compacted to a minimum load-bearing capacity of one thousand (1000) pounds per square foot. Prior to installation, homes placed on fill shall have a soil analysis to determine whether fill will carry the minimum load-bearing capacity. Soil analysis shall be done by a state licensed soil engineer or person of equal qualification. A copy of the soil analysis shall be filed with the Department of Code Enforcement and attached to the permit. Blocking footings shall consist of no less than two (2) four (4)-inch thick by eight (8)-inch wide by sixteen (16)-inch long solid concrete blocks with the long dimensions of each block parallel with the steel I-Beam frame. Blocking footings shall have a minimum load-bearing capacity of two thousand (2000) pounds per square foot. Alternate footing materials or designs which have been engineered and tested by an approved testing agency may be authorized by the Director of Code Enforcement.

B. Piers less than thirty (30) inches in height, measured from the top of the blocking footing to the bottom of the I-Beam, shall be constructed of either open cell or solid concrete blocks each of which shall be eight (8) inches wide, eight (8) inches high, and sixteen (16) inches long. Open cell blocks shall be installed with the open cells aligned vertically. A solid wood or concrete cap plate of at least one (1) inch nominal thickness and not greater than four (4) inches nominal thickness, eight (8) inches nominal width and sixteen (16) inches long shall be placed on the top of each pier, with weather proof shims when needed, fitted and driven tightly between the wood or concrete cap plate and the main frame I-Beam. Such shims shall not exceed one (1) inch in nominal thickness and shall be at least four (4) inches nominal width and six (6) inches long. Piers shall be installed perpendicular to the I-Beam. Piers shall not be spaced further apart than ten (10) feet on centers. The main frame shall not extend further than one (1) foot beyond the center line of the end of the piers. Piers shall be spaced so as to not be located directly under the axle mounting(s).

C. For any pier over thirty (30) inches in height, measured from the top of the blocking footing to the bottom of the I-Beam, the pier shall be double-tiered with blocks interlocked and capped with solid concrete block. The cap plate shall consist of one (1) four (4)-inch thick by sixteen(16)-inch wide by sixteen(16)-inch long solid concrete block or two (2) four(4)-inch thick by eight(8)-inch wide by sixteen(16)-inch long solid concrete blocks. The gap between the cap plate and the main frame may be filled with a piece of solid wood at least one (1) inch in nominal thickness but not greater than two (2) inches nominal thickness, eight (8) inches nominal width and sixteen (16) inches long, centered under the I-Beam. The solid concrete cap or solid wood piece shall be installed with weather-proof shims, as needed, fitted and driven tightly between the wood or concrete cap plate and the main frame I-Beam. Such shims shall not exceed one (1) inch in nominal thickness and shall be at least four (4) inches nominal width and six (6) inches in length.

D. Piers shall not exceed forty-eight (48) inches in height, unless designed and sealed by a design professional.

E. Substitute footing and pier blocking materials may be approved by the Director of Code Enforcement if approved by and installed as required by K.S.A. 75-1231.

Sec. 6-368. Appeals.

A. The Sedgwick County Board of Building Examiners and Appeals is designated to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of the Manufactured Housing Code.

B. Any order(s) of the Board of Building Examiners and Appeals made as a result of an appeal provided for by this section may be appealed to the District Court of the Eighteenth Judicial District of the State of Kansas.

Sec. 6-369. Truth in Advertising Requirements.

A. *Applicability.* On or after July 1, 1993, any person, firm or corporation required by this article to obtain a manufactured housing installation contractor's license shall be subject to this section.

B. *Definition.* For the purposes of this section, "advertising" or "advertisement" means the inclusion of any business card, announcement, contract bid proposal, or other written or broadcast statement including telephone directory display ads but shall not include any white or yellow page listings in telephone directories.

C. *Violations.* It shall be a violation for any person, firm, corporation, or other entity that does not hold a valid manufactured housing installation contractor's license in good standing, to advertise or maintain any advertising or advertisement that:

- (1) Advertises as a manufactured housing installation contractor;
- (2) Appends the person's, or other entity's name to, or in connection with, the title "manufactured housing installation contractor;"
- (3) Appends the person's, or other entity's name to any other words that tend to represent the person as a manufactured housing installation contractor;

Sec. 6-370. Enforcement and penalties.

(a) This Article is enforceable under Chapter 8. Any code enforcement officer or law enforcement officer being duly authorized and having jurisdiction in the county may issue a uniform complaint and notice to appear to any person violating any provision of this Article.

(b) Violations of this article are punishable as provided for in Section 1-8.

(c) Except as otherwise stated, violations of this Article are Class H offenses, as described in Section 8-5(a).

Sec. 6-371. Other remedies unaffected.

Nothing in this Article shall be construed to limit or forbid the county or any other person from pursuing any other remedies available at law or in equity to enforce the provisions of this Article.

Secs. 6-372 to 6-399. Reserved.

SECTION 2: SAVING CLAUSE.

All rights and remedies of Sedgwick County, and the property owners and residents thereof, are expressly saved as to any and all violations of the Sedgwick County Code, Chapter 6, Article VII, Resolution Nos. 25-2000, or any prior manufactured housing code adopted as resolutions that have accrued at the time of the effective date of this resolution. The court shall have all the powers that existed prior to the effective date of this resolution as to all such accrued violations.

SECTION 3: COPIES. Copies in number as needed shall also be furnished without charge by the Department of Code Enforcement of Sedgwick County to the courts and all administrative departments charged with the enforcement of this code.

SECTION 4: AMENDMENT OF SEDGWICK COUNTY CODE. Chapter 6 of the Sedgwick County Code is hereby amended by the addition of new Sections 6-350 through 6-370, inclusive, as set forth herein.

SECTION 5: SEVERABILITY CLAUSE.

Should any section, clause or provision of this resolution be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 6: PUBLICATION AND EFFECTIVE DATE.

The Sedgwick County Clerk is directed to publish this resolution once in the official county newspaper. This resolution shall take effect upon its publication once in the official county newspaper.

Commissioners present and voting were:

BETSY GWIN
TIM R. NORTON
THOMAS G. WINTERS
CAROLYN McGINN
BEN SCIORTINO

Dated this 15th day of January, 2003.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

BEN SCIORTINO, Chairman
Fifth District

ATTEST:

DAVE UNRUH, Commissioner
First District

DON BRACE, County Clerk

TIM R. NORTON, Commissioner
Second District

APPROVED AS TO FORM:

THOMAS G. WINTERS, Commissioner
Third District

AARON T. BLASE
Assistant County Counselor

CAROLYN McGINN, Commissioner
Fourth District