

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4801

A bill to amend 1987 PA 96, entitled
"The mobile home commission act,"
by amending section 7 (MCL 125.2307).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) ~~A~~**EXCEPT AS PROVIDED IN SUBSECTION (7),** A local
2 government ~~which~~**THAT** proposes a standard related to mobile home
3 parks or seasonal mobile home parks, or related to mobile homes
4 located within a mobile home park or a seasonal mobile home park,
5 that is higher than the standard provided in this act or the code,
6 ~~or~~ **THAT PROPOSES** a standard related to the business, sales, and
7 service practices of mobile home dealers, or the business of mobile
8 home installers and repairers, that is higher than the standard
9 provided in this act or the code, shall file the proposed standard
10 with the commission. ~~The~~**EXCEPT AS PROVIDED IN SUBSECTION (7), THE**

1 commission may promulgate rules to establish the criteria and
2 procedure for implementation of higher standards by a local
3 government. The commission shall review and approve the proposed
4 standard unless the standard is unreasonable, arbitrary, or not in
5 the public interest. If the commission does not approve or
6 disapprove the proposed standard within 60 days after it is filed
7 with the commission, the standard shall be considered approved
8 unless the local government grants the commission additional time
9 to consider the standard. After the proposed standard is approved,
10 the local government may adopt the standard by ordinance. The
11 ordinance shall relate to a specific section of the code.

12 (2) A local government standard related to mobile homes not
13 located within a mobile home park or seasonal mobile home park need
14 not be filed with the mobile home commission, unless the standard
15 relates to the business, sales, and service practices of mobile
16 home dealers, or the business of mobile home installers and
17 repairers.

18 (3) A local government ordinance shall not be designed as
19 exclusionary to mobile homes generally whether the mobile homes are
20 located inside or outside of mobile home parks or seasonal mobile
21 home parks.

22 (4) A local government ordinance shall not contain a standard
23 for the setup or installation of mobile homes that is incompatible
24 with, or is more stringent than, either of the following:

25 (a) The manufacturer's recommended setup and installation
26 specifications.

27 (b) The mobile home setup and installation standards

1 promulgated by the federal department of housing and urban
2 development pursuant to the national manufactured housing
3 construction and safety standards act of 1974, 42 U.S.C.—**USC** 5401
4 to 5426.

5 (5) In the absence of any setup or installation specifications
6 or standards for foundations as set forth in subsection (4)(a) or
7 (b), the local government standards for site-built housing shall
8 apply.

9 (6) A local government ordinance shall not contain roof
10 configuration standards or special use zoning requirements that
11 apply only to, or excludes, mobile homes. A local government
12 ordinance shall not contain a manufacturing or construction
13 standard that is incompatible with, or is more stringent than, a
14 standard promulgated by the federal department of housing and urban
15 development pursuant to the national manufactured housing
16 construction and safety standards act of 1974, 42 U.S.C.—**USC** 5401
17 to 5426. A local government ordinance may include reasonable
18 standards relating to mobile homes located outside of mobile home
19 parks or seasonal mobile home parks which ensure that mobile homes
20 compare aesthetically to site-built housing located or allowed in
21 the same residential zone.

22 **(7) NOTWITHSTANDING ANYTHING IN SECTION 17 THAT MAY BE TO THE**
23 **CONTRARY, A LOCAL GOVERNMENT MAY ADOPT AN ORDINANCE TO INSPECT**
24 **MOBILE HOMES FOR SAFETY WITHIN A MOBILE HOME PARK, A SEASONAL**
25 **MOBILE HOME PARK, OR MOBILE HOMES LOCATED OUTSIDE A MOBILE HOME**
26 **PARK OR A SEASONAL MOBILE HOME PARK IF THE MOBILE HOME BEING**
27 **INSPECTED IS BEING RENTED TO A TENANT BY THE OWNER OF THE MOBILE**

1 HOME. THE LOCAL GOVERNMENT MAY PROPOSE A MEANS TO DETERMINE WHICH
2 MOBILE HOMES LOCATED WITHIN ITS JURISDICTION ARE BEING RENTED TO
3 TENANTS BY THE OWNER, INCLUDING, BUT NOT LIMITED TO, IMPOSITION OF
4 A REGISTRATION OR A LICENSING REQUIREMENT FOR RENTING MOBILE HOMES
5 TO TENANTS. A LOCAL GOVERNMENT MAY INSPECT MOBILE HOMES RENTED TO
6 TENANTS BY THE OWNER FOR SAFETY IF THE SAFETY INSPECTION ORDINANCE
7 APPLIES TO ALL OTHER RENTAL HOUSING WITHIN THE LOCAL GOVERNMENTAL
8 UNIT. IF A LOCAL GOVERNMENT INSPECTS MOBILE HOMES RENTED TO TENANTS
9 BY THE OWNER FOR SAFETY, THE PERIOD BETWEEN INSPECTIONS SHALL NOT
10 BE LESS THAN 3 YEARS UNLESS THE LOCAL GOVERNMENT IS RESPONDING TO A
11 COMPLAINT FROM A TENANT. AN INSPECTION SHALL NOT BE CONDUCTED ON A
12 MOBILE HOME FOR WHICH AN OCCUPANCY PERMIT HAS BEEN ISSUED BY THE
13 LOCAL GOVERNMENT IN THE PRECEDING 3 YEARS UNLESS THE LOCAL
14 GOVERNMENT IS RESPONDING TO A COMPLAINT FROM A TENANT. INSPECTIONS
15 FOR SAFETY SHALL NOT REQUIRE ENFORCEMENT OF ANY MOBILE HOME
16 CONSTRUCTION STANDARDS THAT ARE GREATER THAN THOSE APPLICABLE TO
17 THE MOBILE HOME UNDER THE NATIONAL MANUFACTURED HOUSING
18 CONSTRUCTION AND SAFETY STANDARDS ACT OF 1974, 42 USC 5401 TO 5426,
19 OR STANDARDS OR CODES TO WHICH THE MOBILE HOME WAS CONSTRUCTED IF
20 IT WAS CONSTRUCTED BEFORE APPLICATION OF THE NATIONAL MANUFACTURED
21 HOUSING CONSTRUCTION AND SAFETY STANDARDS ACT OF 1974, 42 USC 5401
22 TO 5426. AS USED IN THIS SECTION, "INSPECTION FOR SAFETY" MEANS AN
23 INSPECTION OF A RENTAL MOBILE HOME THAT IS LIMITED TO ENSURING THE
24 PROPER FUNCTIONING, OR PROTECTION, OF THE FOLLOWING:

- 25 (A) FURNACE.
26 (B) WATER HEATER.
27 (C) ELECTRICAL WIRING.

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1 (D) PROPER SANITATION AND PLUMBING.

2 (E) VENTILATION.

3 (F) HEATING EQUIPMENT.

4 (G) STRUCTURAL INTEGRITY.

<<(H) SMOKE ALARMS.>>