

MANUFACTURED HOUSING DEVELOPMENT EQUAL TREATMENT

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: D. Chris Butters

This act modifies the Utah Municipal Code and provisions relating to Counties to require municipalities and counties to treat developments that include manufactured homes the same as developments that do not include manufactured homes. The act prohibits municipalities and counties from rejecting development plans solely because they include manufactured homes.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

10-9-106.5, as enacted by Chapter 55, Laws of Utah 1996

17-27-105.5, as enacted by Chapter 55, Laws of Utah 1996

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-9-106.5** is amended to read:

10-9-106.5. Manufactured homes.

(1) For purposes of this section, a manufactured home is the same as defined in Section 58-56-3, except that the manufactured home must be attached to a permanent foundation in accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection in compliance with the applicable building code. All appendages, including carports, garages, storage buildings, additions, or alterations must be built in compliance with the applicable building code.

(2) A manufactured home may not be excluded from any zone or area in which a single-family residence would be permitted, provided the manufactured home complies with all local zoning, building code, and subdivision requirements, including any restrictive covenants, applicable to single family residence within that zone or area.

(3) A municipality may not:

(a) adopt or enforce an ordinance or regulation that treats a proposed development that includes manufactured homes differently than one that does not include manufactured homes; or

(b) reject a development plan based on the fact that the development is expected to contain manufactured homes.

Section 2. Section **17-27-105.5** is amended to read:

17-27-105.5. Manufactured homes.

(1) For purposes of this section, a manufactured home is the same as defined in Section 58-56-3, except that the manufactured home must be attached to a permanent foundation in accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection in compliance with the applicable building code. All appendages, including carports, garages, storage buildings, additions, or alterations must be built in compliance with the applicable building code.

(2) A manufactured home may not be excluded from any zone or area in which a single-family residence would be permitted, provided the manufactured home complies with all local zoning, building code, and subdivision requirements, including any restrictive covenants, applicable to single-family residence within that zone or area.

(3) A county may not:

(a) adopt or enforce an ordinance or regulation that treats a proposed development that includes manufactured homes differently than one that does not include manufactured homes; or

(b) reject a development plan based on the fact that the development is expected to contain manufactured homes.