

1 **MANUFACTURED HOUSING DEVELOPMENT**

2 **EQUAL TREATMENT**

3 2001 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: D. Chris Buttars**

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

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

12 **AMENDS:**

13 **10-9-106.5**, as enacted by Chapter 55, Laws of Utah 1996

14 **17-27-105.5**, as enacted by Chapter 55, Laws of Utah 1996

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

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

17 **10-9-106.5. Manufactured homes.**

18 (1) For purposes of this section, a manufactured home is the same as defined in Section
19 58-56-3, except that the manufactured home must be attached to a permanent foundation in
20 accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection
21 in compliance with the applicable building code. All appendages, including carports, garages,
22 storage buildings, additions, or alterations must be built in compliance with the applicable building
23 code.

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

- 28 (3) A municipality may not:
- 29 (a) adopt or enforce an ordinance or regulation that treats a proposed development that
- 30 includes manufactured homes differently than one that does not include manufactured homes; or
- 31 (b) reject a development plan based on the fact that the development is expected to contain
- 32 manufactured homes.

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

34 **17-27-105.5. Manufactured homes.**

35 (1) For purposes of this section, a manufactured home is the same as defined in Section
36 58-56-3, except that the manufactured home must be attached to a permanent foundation in
37 accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection
38 in compliance with the applicable building code. All appendages, including carports, garages,
39 storage buildings, additions, or alterations must be built in compliance with the applicable building
40 code.

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

- 45 (3) A county may not:
- 46 (a) adopt or enforce an ordinance or regulation that treats a proposed development that
- 47 includes manufactured homes differently than one that does not include manufactured homes; or
- 48 (b) reject a development plan based on the fact that the development is expected to contain
- 49 manufactured homes.

Legislative Review Note
as of 1-24-01 11:53 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel