

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

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

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

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

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

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

1 (b) The mobile home setup and installation standards
2 promulgated by the federal department of housing and urban
3 development pursuant to the national manufactured housing
4 construction and safety standards act of 1974, 42 ~~U.S.C.~~**USC** 5401
5 to 5426.

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

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

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

House Bill No. 4801 (H-4) as amended October 27, 2009

1 BY THE OWNER OF THE MOBILE HOME. THE LOCAL GOVERNMENT MAY PROPOSE A
2 MEANS TO DETERMINE WHICH MOBILE HOMES LOCATED WITHIN ITS
3 JURISDICTION ARE BEING RENTED TO TENANTS BY THE OWNER, INCLUDING,
4 BUT NOT LIMITED TO, IMPOSITION OF A REGISTRATION OR A LICENSING
5 REQUIREMENT FOR RENTING MOBILE HOMES TO TENANTS. A LOCAL GOVERNMENT
6 MAY INSPECT MOBILE HOMES RENTED TO TENANTS BY THE OWNER FOR SAFETY.
7 IF A LOCAL GOVERNMENT INSPECTS MOBILE HOMES RENTED TO TENANTS BY
8 THE OWNER FOR SAFETY, THE PERIOD BETWEEN INSPECTIONS SHALL NOT BE
9 LONGER THAN 3 YEARS. INSPECTIONS FOR SAFETY SHALL NOT REQUIRE
10 ENFORCEMENT OF ANY MOBILE HOME CONSTRUCTION STANDARDS THAT ARE
11 GREATER THAN THOSE APPLICABLE TO THE MOBILE HOME UNDER THE
12 MANUFACTURED HOUSING RULES, R 125.1101 TO R 125.2009 OF THE
13 MICHIGAN ADMINISTRATIVE CODE. AS USED IN THIS SECTION, "INSPECTION
14 FOR SAFETY" MEANS AN INSPECTION OF A RENTAL MOBILE HOME THAT IS
15 LIMITED TO ENSURING THE PROPER FUNCTIONING, OR PROTECTION, OF THE
16 FOLLOWING:

- 17 (A) FURNACE.
18 (B) WATER HEATER.
19 (C) ELECTRICAL WIRING.
20 (D) PROPER SANITATION AND PLUMBING.
21 (E) VENTILATION.
22 (F) HEATING EQUIPMENT.
23 (G) [STRUCTURAL INTEGRITY.

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